The American Ecclesiastical Review

Vol. CXV, No. 4 October, 1946

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Published monthly by The Catholic University of America Press, Washington 17, D. C. Subscription price, currency: United States, $4.00; Canada, $4.50; Foreign, $5.00. 40 cents per copy.

Entered as second class matter, November 30, 1944, at the Post Office at Washington, D. C., under the Act of March 3, 1879. Accepted for mailing at the special rate of postage provided for under Act of March 5, 1930, under Act of February 28, 1925.

Business communications, including subscriptions and changes of address, should be addressed to The American Ecclesiastical Review, The Catholic University of America Press, Washington 17, D. C.

Please address all manuscripts and editorial correspondence to The Editor, The American Ecclesiastical Review, Box 20A, The Catholic University of America, Washington, D. C.

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The American Ecclesiastical Review
The Catholic University of America
Washington 17, D. C.

PAROCHIAL APPROACHES TO CONVERT-MAKING

Bertrand L. Conway, C.S.P., one of the leading convert-makers of modern America, tells of a missioner who strolled with a pastor in a Western town. Women bowed to the local priest, men called a greeting and the children smiled a welcome. "Your people?" inquired the visitor. "Oh, yes," was the somewhat equivocal reply. The question was repeated a couple of times, eliciting a similar response. "Is the whole town Catholic?" finally asked the missionary. "Not at all," explained his host, "but I look upon them all as my people."

In nearly fifteen thousand American communities there is at least one resident Catholic priest. By virtue of his mission, by reason of the treasure at his disposal and often by native ability, he is potentially the most influential man in the locality. And all his people, non-Catholic as well as Catholic, suffer irreparably when he is ignored or when he entertains a restricted view of his relations with them.

AWARENESS OF THE LOCAL MISSION PROBLEM

It is true that the Church is confronted with a global mission problem and no priest can be niggardly in interest or co-operation with the gigantic burdens of the Field Afar. But it would be singularly myopic not to recognize that a considerable portion of our total mission obligation stares at us on the street where we reside.

One hundred million Americans are outside the Church. Over one thousand American counties do not shelter a single resident priest. The writer, in a Paulist parish of the South, often traveled well over a hundred miles without crossing the parochial lines. In numerous localities, notable in size and importance, there is but one tiny, unimpressive Catholic Church on the edge of town that serves a diminutive congregation. And our huge urban Catholic populations may divert attention from comparably large sectarian congregations and from throngs that never go to church. Little wonder that a Father Hecker could say, "I will help the Catholic with my left hand and the non-Catholic with my right."

Wherever the Church has been long established, the burden of administration tends to obscure the wider claims of the apostolate. A priest must build, maintain, and finance the material side of the

church, and he cannot neglect the manifold spiritual needs of the faithful. When these insistent and extensive demands are answered he may be tempted to call it a day. Unconsciously, he may grow unadventurous and oblivious to the needs of Christ's "other sheep."

But no priestly conscience will long escape being nudged by Christ's commands: "Go forth . . . Preach my Gospel to every creature . . . Other sheep I have that are not of this fold." For every priest is an apostle by vocation. The foreign missioner (whose number is happily on the increase) and the cleric who remains at home differ only in the locale wherein their apostolic zeal is exercised. Each must perform a function of preservation among Catholics and a labor of conquest among non-Catholics. Each must be skillful, both with the hook of the fisherman and the crook of the shepherd. And Canon Law decrees: "Ordinaries of places and parish priests shall regard non-Catholics residing in their dioceses and parishes as commended to their care in the Lord."

THE PRIEST AS A SOWER

Our present concern is with the preliminary spade work of the clergy in preparing the soil and sowing the first seeds of truth among non-Catholics. In the natural order, harvests do not suddenly burst forth full grown and blooming. They are preceded by plowing, seeding and unwearying cultivation of the soil. This may seem ingloriously back-breaking and unpromising in immediate rewards, yet this toil is indispensable for bumper crops. Similarly, the apostle must co-operate with God in establishing the predispositions for faith. Religious, social, cultural, and psychological barriers must be removed, good will engendered, and interest aroused. And while this introductory toil may seem dreary, unheroic and, on the short view, unproductive, it is God's way of assuring ripened spiritual harvests.

The necessity and nature of this preparatory effort is well illustrated by a line in St. Augustine's *Confessions*. Referring to his early association with St. Ambrose, he remarks, "I came to love him, not at first as a teacher of the truth, which I had utterly despaired of finding in Your Church, *but for his kindness towards me.*" The point to be noted is that the missioner frequently has no message until he wins a friend, even with a philosopher like Augustine. And to advance the convert movement in America, the

clergy must first establish and promote the most cordial relations with the people of the grass roots and city streets of the nation.

Missioners, beginning with our Lord, endeavored first to make themselves accessible, then respected, and finally esteemed by the souls they sought to persuade. Neophytes are more readily attracted where the apostle has won a large measure of confidence for himself and lively, sympathetic interest in the Church. The blood of martyrs is indeed a fruitful seed, and even the excesses of bigotry have won friends for Catholicism. And, of course, the Church can survive dislike, hatred and violent persecution. Even so, before large-scale conversions are effected, a period of peace usually intervenes during which missioners must sedulously cultivate amicable relations with their prospective catechumens.

Lighthouse keepers may become misanthropes and assembly-line workers often develop an inhuman anonymity. But the priest in the active ministry is spokesman for a recognized group with far-flung relations with the entire community. And, more to our present purpose, he is charged with precise obligations to all the non-Catholics of the area. No man belongs to so many people and none must regard his work in so broad a frame of reference as he. Being human, he will sometimes grow weary of the patient effort required to affect public opinion, or even dubious of its value. But it is always an unfortunate setback whenever his widest influence diminishes. Remote control may achieve many scientific marvels but it has never won a nation to the faith.

ELEMENTS AFFECTING CLOSER CONTACT

We are fortunately spared many barriers foreign missioners must often hurdle. We sometimes face enmity but it is seldom of the kind that exacts martyrdom. And while some Americans are not immediately accessible, they are not removed from us by broad oceans or by impenetrable walls. We need not struggle with an alien tongue, master an unfamiliar culture, or stomach an unsavory cuisine.

Our initial task is to close or narrow a psychological gap that has more or less estranged us from non-Catholics for centuries. On our side, this arises from resentment born of past or current religious differences, bigotry or discrimination, and by distortions of Catholic teaching and aims. For these and other motives a priest may be

inclined to repel intimacy or to wait until the non-Catholic makes the first overtures. On their part, there is sometimes diffidence in initiating closer relations with one who is reserved, busy, and important. They may feel that celibacy renders us stern or unsympathetic or that our intransigence in dogma makes us unapproachable on other levels of discussion. And anti-Catholic prejudices begets in some a wariness of the clergy.

Yet priests as a class are affable, approachable, and possess aptitude for getting on with people. One may be short on bonhomie but may be long on scholarship, piety, or civic resourcefulness. One pastor in North Carolina, once prominent in athletics, organized and managed the annual Golden Gloves contests in his town. This demolished high walls of constraint and induced many to consult him on more profound issues. Most priests command one or more of these capacities but, at present, they are better known and more frequently exercised among Catholics than among non-Catholics.

Moreover, the average American is apt to be fair; he respects religion even when he professes a churchless Christianity, and seldom stands on ceremony. Nor is it difficult for a priest to gain his ear. A confrere tells of a huge non-Catholic mission in Duluth, Minn., where the Knights of Columbus invited small groups of influential non-Catholics to dine and chat with the missionary. So many desired to participate in these discussions it was difficult to accommodate them. A monsignor in the South relates how, as a young priest from Ireland, he experienced difficulty locating the rectory. His brogue and rumors of local bigotry discouraged inquiries until utter weariness prompted him to address a passer-by. The stranger offered to accompany him, helped with his luggage, and they were soon chatting freely. The layman disclosed that his son wished to marry a Catholic but that members of both families opposed the match. The priest gave helpful advice and agreed to meet the boy. This youth was a Catholic within the year and was joined by his father some time later. The young priest concluded (and a long fruitful apostolate sustained the conviction), first, that the typical non-Catholic is easy to approach and usually has a religious question or problem to present; secondly, the priest must take the initiative.

A Catholic priest enjoys immense prestige in most communities. Though they see him at a distance and too infrequently, most non-

Catholics appreciate his quiet competence, his devotion to his parishioners, and his disinclination to meddle in purely secular affairs. They approve his avoidance of professional unction and long, homiletic prayers at public functions. They admire his sincerity, a certain masculine piety and sense of humor. They realize the extensive studies and strict discipline under which he was trained. They recognize that our convictions are not lightly assumed nor quickly discarded, and they surmise that we have a case even when they disagree with Catholic opinion. They usually accord us respect and many a priest has found them more co-operative than some of his own parishioners. Many of them are quick to voice their inner needs and difficulties at the first sign of priestly solicitude and they take pride in being numbered among a priest's friends. Large numbers of these non-Catholics can be easily reached and the ambassador of Christ must be alert for available openings.

A PRACTICAL PROGRAM

The following suggestions are based either on the writer's experience or on the observation of the methods of successful convert-makers in thirty-five states. This is obviously not a complete catalogue of their technique nor will each detail have equal application in every locality. All these instruments, however, represent well-established precedents and each is laden with honors from many a victorious campaign. A priest who makes a comprehensive survey of his own community, the opportunities it presents, the temper of its people, and the time at his disposal, will be in a position to make a wise selection and a prudent adaptation to local needs.

No one device will be infallibly successful; it is rather the cumulative effect of many approaches that produces results. Some of these hints may appear so trivial as to be scarcely worth trying. But since we seldom enjoy occasions for momentous utility to non-Catholics, at least in the beginning, we must employ even the humblest of means. More often than not, it is a trifle that transforms a nodding acquaintance into fast friendship. And it may not be amiss to say that, while we exercise a ministry of authority as well as of service among Catholics, we are usually confined to the ministry of service among non-Catholics. The more gracious and personal it is, the more effective it is likely to be.

INDIVIDUAL CONTACTS

1. *Make Casual Contacts Count.*

Each priest has daily association with some non-Catholics. He consults professional men, business people and civic leaders; he meets others on sick calls, socially, or just in passing. Occasionally they seek him at the rectory. In whatever manner and for whatever purpose he sees them, he is face to face with a potential friend, an ally, or even a future convert. These meetings are important because people usually estimate us by the qualities we display in our day-to-day relationship with them. These occasions may be turned to good account by remembering individual names, an easy greeting, and by manifestation of genuine liking and personal interest. In this way, good will may be improved, the way is paved for closer intimacy; and the report will go the rounds that the local priest is approachable, agreeable and helpful. Fr. Vieban, the beloved Sulpician, thought highly of the apostolate of the casual contact, saying that he never met a non-Catholic without trying to make him a little better disposed to the Church.

2. *Make Mixed Marriages Count.*

"Since a certain number of mixed marriages is inevitable," wrote Cardinal Fumasoni-Biondi to Bishop Schlarman, "the difficulty ought to be faced, not only deplored. So many non-Catholics preparing for marriage with Catholics, if they are approached in the right manner and handled tactfully, can be won for the faith that a cause of great harm to the Church might almost become a real factor in her growth." Extraordinarily competent convert-makers like Hugh L. McMenamin of Denver and A. B. C. Dunne of Eau Claire were especially adept at this. Many dioceses require a modicum of instruction for the non-Catholic party. This removes prejudice, imparts needed religious information and often either converts him or prepares for his eventual conversion. Where possible, the writer urges a complete course in the Catechism; there is then more likelihood of immediate conversion.

At first, the motives of the non-Catholic may not be of the highest, but a devoted instructor may gradually effect their elevation. Acquaintance with an exemplary Catholic is often merely the occa-

sion which induces a person to settle his spiritual problems, something he may have long intended to accomplish. It is my experience that converts through marriage persevere, providing they have received adequate instruction and the Catholic party is conscientiously religious. And life-long companionship with a good Catholic gives them an advantage over some converts who, after conversion, continue to be surrounded by non-Catholic influences.

3. *Cultivate Community Leaders.*

Every locality embraces outstanding citizens whose prestige wins widespread attention for their opinions and actions. They influence enormously the thoughts and decisions of others. St. Patrick, Boniface, and other missioners endeavored first to win the good will of the chief of a clan or tribe or the princes of a people. And Francis de Sales, model for diocesan apostles, moved more rapidly among the Calvinists of the Chablais when he converted Poncet, a respected lawyer of the district. Though we live in a democracy, the principle is by no means unimportant for us. Men in local key positions whose attitude toward the Church carries great weight are easily identified: office holders, public officials, professional men, editors, radio officials, educators, librarians, and other neighborhood notables.

A classmate, later a pastor in the Pennsylvania coal regions, won the acquaintance of the town editor by an occasional word of commendation. They now meet frequently and the newsman gains insights and borrows reading matter that assures fair treatment for the Church in his columns. And the other prominent townpeople already mentioned can be equally helpful, each in his proper sphere.

4. *Use the Mails.*

There are times when people are especially susceptible to the thoughtfulness of those who drop them only a few lines. They are likely to requite this consideration with grateful good will. A word of congratulation on an anniversary, or to one who wins recognition for some achievement, or the expression of condolence in bereavement—these have helped make more than one friend for

Catholicism. A priest in Peoria likes to relate how a post-card greeting finally broke down the resistance of a man who hindered his wife and children in the practice of their religion.

GROUP CONTACTS

5. *Cultivate Ties with Community Groups.*

Public relations experts, realizing the impossibility of buttonholing every individual in town, try to reach large cross-sections of the population through the organizations to which people belong. Americans are inveterate "joiners." And the complexity of modern life has supplanted the old American Town Meeting with associations that serve the various collective interests of the community. Their combined membership comprises most of the residents of a district and they are the rendezvous for large groups. As a consequence, they wield vast influence both locally and nationally. A partial list of these organizations would include: the Red Cross, Community Chest, luncheon and professional men's clubs, and associations representing veterans, labor, farmers, consumers, cooperatives and the like.

In recent years, the labor unions and the Jewish citizens of the nation realized the necessity of favorable publicity and wider support for their special concerns. And they exerted huge efforts to reach the general public through the organizations just enumerated. Not all these groups are equally accessible or important and a priest needs circumspection in his dealings with them. But they offer some of the shortest routes to wide contact with most communities.

Such effort is richly rewarded. It enables a priest to allay prejudice and to win favorable attention for the Church. It opens the door to many private discussions on religion and related topics and wins invitations to address larger gatherings. A priest can thus impart the Catholic outlook to those who never enter a Catholic Church and he creates the climate where local obstacles to conversions are at a minimum. In answer to a question of mine, one pastor attributed his success with converts largely to the acceptance, years ago, of an invitation to address a club of professional and business men. He first talked to twenty-five people. But he later became one of their favorite lecturers, with three hundred

listeners who often detained him until midnight answering questions.

6. *Participate in Civic and Patriotic Projects.*

A clerical friend in the Northwest maintains that Catholics suffer loss of prestige and influence by permitting past or recent bigotry to isolate us as a group from worthy community activities. In 1928 the KKK in his town planned to march in full regalia in a Decoration Day Parade. Instead of withdrawing his school children and societies from participation, he wired news of the Klan's intention to the national headquarters of the American Legion, who sponsored the celebration. He reasoned that the Klan would be prevailed upon to reconsider its designs and his hunch was justified.

Many other outstanding and exemplary priests are alert to render encouragement and co-operation towards plans that further civic improvements, and no public celebration (unless political in character) is complete without them. Their sense of social, civic, and patriotic responsibility is high and they communicate this spirit to their parishioners. In all that is compatible with Catholic principle and priestly decorum they are eager to lend their aid. What Cardinal Spellman does so well on the national scale, each priest may do in his own community.

THE SPOKEN WORD

7. *Make the Pulpit Count.*

Frederick Joseph Kinsman, after his conversion, was agreeably surprised at the relatively high excellence of Catholic preaching. Through the year, very many good things are well said in most Catholic pulpits. And, on occasions, this preaching is of a distinguished quality. On missions, retreats, Forty Hours, Novenas, and courses this is frequently the case. Very many converts told me that they might have attended these services but that they were not quite certain they were welcome. If pastors and missionaries provided sufficient publicity for these events among non-Catholics and persuaded the faithful to invite and accompany them, many thousand might thereby be reached. "Faith comes by hearing."

Some non-Catholics are in attendance at funerals, weddings, parish anniversaries and on the Christmas and Easter festivals. To improve their dispositions, many pastors provide booklets that

explain the service, extend a warm greeting and invite them to return. When a sermon is preached they prepare well, selecting a topic that will give immediate spiritual help and solid instruction on some fundamental Christian truth. The most able priest I know in this respect is pastor in a railroad town. At funerals, he refers briefly to some commendable quality of the deceased, shows its necessity in public and private life and then explains how the Church is its inspiration and support. I once heard him preach at the funeral of a man who had not missed a day's work in twenty-five years; he delivered a memorable sermon on the redemptive character of daily toil. Each year he thus conducts the equivalent of a non-Catholic mission and this practice helps account for his harvest of converts.

8. *Arrange Special Services for Non-Catholics.*

Some priests are not content to reach the "other sheep" obliquely or as a kind of by-product of their ministry to Catholics. They employ the non-Catholic mission (either as a course of lectures or as a series of dialogues), the open forum, the inquiry class, the trailer mission (especially in country districts), or street preaching. Each of these and other specialized techniques has its champions who discourse eloquently on their many indubitable merits and achievements. Fr. Bertrand Conway, distinguished proponent of the non-Catholic mission, definitely established the fact that a direct appeal to non-Catholics by services specifically designed for them is four times as effective as any indirect appeal.

Widespread indifference to organized religion presents a huge problem. The day is past when so many Protestants wished to attend a non-Catholic mission that the missioner was sometimes reluctantly obliged to request Catholics to stay at home. Yet where local possibilities are well canvassed and adequate preparations are made, especially where the clergy have created good will and the laity are zealous, one or another of these instruments will attract a gratifying attendance.

Splendid work has been done by priests who publicize the Catholic Hour and other broadcasts. They announce, by means of folders, "ads," or through the laity, the program, speakers, titles, time, and radio station. Still others are quick to utilize time available on local stations to conduct regular broadcasts themselves.

Bishop Hunt, when pastor at Salt Lake City, was conspicuously successful in this apostolate, and accomplished immense good over a large area. The radio offers three great advantages: it may reach vast audiences, it provides instruction with a minimum of effort and it assures privacy for listeners who may not wish to advertise their interest in Catholicism.

THE WRITTEN WORD

9. *Make Catholic Literature Count.*

The case for Catholicism is admirably presented in innumerable books, pamphlets and periodicals. But only a trickle of this output reaches the hands of non-Catholics. Our greatest problem is one of distribution. The intelligence and industry now poured into writing and publishing must be matched by practical measures for the circulation of our literature among those outside the Church. Among a people whose literacy is so high, the printed word becomes a major missionary vehicle.

A few questions may point the way to improvement. Are the Catholic Encyclopedia and other standard works of reference in the Public Library? Do Catholics request important new Catholic books or periodicals in sufficient number to warrant their purchase? Where the library budget is slim or the authorities unco-operative, do Catholics donate these works so as to make them generally available? Is the Narberth plan in operation? Does the church possess a well-tended pamphlet rack? Is there a good parochial library? Do Catholics remail their periodicals to non-Catholics?

One pastor compiled a mailing list of the town's leading citizens, the non-Catholic party in mixed marriages, and others who evidenced interest. His Catholic Action Club subscribes for an appropriate Catholic periodical for each of them and he frequently mails them pamphlets or mimeographed copies of articles on the Catholic side of questions of public interest.

WHEN CONFLICTS ARISE

10. *Act Wisely Under Provocation.*

Christ Himself made enemies, and St. Paul, despite his efforts to be "all things to all men," was frequently in hot water. Currents of

thought and feeling have been running against the Church for centuries and there is a Catholic opinion that often runs counter to popular views. Tension, therefore, is unavoidable; and even men of good will will find it difficult to appreciate the position of the Church on many questions. These misunderstandings may inspire reactions that run the gamut from minor griefs to organized opposition. Consequently, a priest's skill as a trouble shooter and his behavior under provocation will have large consequences in his labor for conversions.

If he has been concerned to influence public opinion, active bigotry may be materially lessened even if not altogether destroyed. Military strategists are jubilant when they reduce a menacing situation to the proportions of a nuisance. So too, it is a great gain we cause a flood tide of prejudice to become a muddy backwater that does not touch the generality of our neighbors. Indeed, many priests and Catholic congregations have gained in stature by restraint and intelligence in the face of bigotry; and a fascinating study might be made of the numerous converts who were won in this way. And, of course, there is a level of dislike which many sections of every community must endure, yet one which permits them to live, work, and pray without serious inconvenience.

Controversial matters and instances of ill will vary in importance. Some are trivial, others weighty; some are private, others public; some involve only a few people, others implicate many. Not all issues merit the attention demanded by a major heresy, nor should every unpleasant episode be magnified to the proportions of a Nero persecution. It is well to determine exactly what was said or done, who said or did it, and what effect the statement or action is likely to produce. Prudent discrimination will dictate whether we should ignore the matter, register dignified protest with the offender or circularize the community with the full facts.

The instance comes to mind of a lecturer, in a town friendly to the Church, who attacked vehemently what he called the alliance between the Church and Fascism. The pastor realized that many were adversely influenced. Soon afterwards, the Foreign Policy Association published an independent study of this subject, exonerating the Church. This priest printed a digest of the report and mailed it with a cordial note to five hundred non-Catholics of the vicinity. This is a fairly frequent practice of his and it helps to

account for the admirable reputation the Church enjoys in his city.

No priest should stop short with the preliminary labor outlined here. And elsewhere will be found suggestions as to how the harvest of converts may be effectively garnered. But neither should a priest permit weariness or discouragement to deter him from this essential introductory effort. For it is only when we have removed hindrances and fostered good will that we create the atmosphere where sympathetic observers of the Church and eager inquirers become increasingly numerous.

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FIFTY YEARS AGO

In the October, 1896, issue of *The American Ecclesiastical Review,* Abbé Hogan discusses Church history as a clerical study, and states that "the professor of history requires a rare combination of gifts; sagacity of observation, breadth of mind, imagination, that is, a power of living in the past and even of reconstructing it from imperfect data, a judicial temper, an incorruptible spirit of fairness; finally, a thorough, familiar knowledge of facts" . . . Fr. Michael J. Lavelle, rector of St. Patrick's cathedral, New York, contributes a practical paper entitled "The Scope and Organization of Sunday Schools." He asserts: "As a rule, ladies are more valuable as Sunday School teachers than gentlemen. There are many causes for this. But the underlying reason is that the average woman is a born teacher; the average man is not" . . . Msgr. Anton de Waal, the celebrated archeologist, writes on "The Name of Mary in Old Christian Inscriptions." He tells us that the oldest tombstone which we know of bearing the name of *Maria* is that of a brother and sister who suffered martyrdom under the Emperor Valerian during the presecution of 255 or 256, and who were called respectively Nion and Maria. . . . The Analecta contains the Latin text of the declaration of the heroicity of the virtues of John Baptist Vianney, parish priest of Ars. . . . In a reply to a question it is stated quite correctly that the divine law forbids Catholics to sing or to play the organ for Protestant services, since this is direct participation in the religious activity of those who deny the revealed truth of Christ as manifested through its only legitimate channel, the Catholic Church.

F. J. C.

MONSIGNOR ISRAEL FARRASEY

Few priests can remember Israel Farrasey when he was merely Fr. Farrasey. He was made a domestic prelate at the age of forty, in the fifteenth year of his priesthood. He owed his elevation to the rather fortuituous circumstance that the town of Nulliby had been made the seat of the rural dean of Ubinam County and it was the policy of the late Bishop that all diocesan officials, and only they, should be honored with the title of Monsignor. Invidious critics of Monsignor Farrasey claim that his constant pontifical manner long antedated the receipt of the brief designating him as *Antistes Romanus*. Even in the Seminary, his sobriquet of "Super" was evidence of the superior air which he assumed among his contemporaries. Very few today would dare to address him as "Super." Perhaps only Fr. Teaser, of St. David's, and old Fr. Tom Gogarty, of SS. Felix and Adauctus, could take this liberty without considerable risk. Those who would presume to address the Dean of Nulliby by his given name of Izzy could be counted on the fingers of one hand. To all the world, clerical and lay, he was Monsignor Farrasey and his letters, except those of his most intimate correspondence, were always signed, "Right Reverend Monsignor Israel Farrasey, V.F.", every word, except the final initials, written out in full.

Israel Farrasey was born in a section of the city which would have made him a "Dead End Kid" had he not been carefully sheltered during his childhood and sent off to the Preparatory Seminary at the age of fifteen. One dead-end-kid characteristic which he did acquire and, despite life-long attempts, could never lose, was a manner of speech usually associated with the fellow citizens of the Dodgers. His education was parochial school, Minor Seminary, and Major Seminary. His record was average, despite an inability to acquire anything better than an inaccurate acquaintance with Latin, with the resultant difficulty of coping with Dogmatic and Moral Theology, which had to be studied out of text-books written in the liturgical language of the Church. But he "got by," as one would say today, and throughout his priestly life he has made much of his rather meager theological equipment, his air of infallibility usually gaining the day for him in controversy with more learned but less assured opponents. It is almost literally true

that since his ordination, the Monsignor has never consulted a work on theology, much less any issue of a serious ecclesiastical periodical, though he depends greatly on the effect of a volume of St. Thomas, which a visitor will always find open on his desk. On the other hand, he is an assiduous reader of the *New York Times,* to which he gives several hours each day, covering every one of its twenty-eight or more pages, except those dealing with real estate and society news, skimming only very casually through the sports columns.

Monsignor Farrasey occupied subordinate positions during only the first three years of his priesthood, which were divided between St. Peter's, Corrytown, and Holy Cross, East Choctaw, in each of which he served as curate. The next five years, he enjoyed considerable independence as chaplain of St. Francis Xavier's Hospital, in the cathedral city. After a short term as rector of the Sacred Heart Church, Plymouth Ridge, a parish with two missions, in the extreme northwestern corner of the diocese, Fr. Farrasey, as he was then known, came to St. Finian's, Nulliby. He had been only six years at St. Finian's when Nulliby was made the decanal town of Ubinam County and a few months later, he was invested with the rochet and mantelletta of the domestic prelate. Unfortunately for Nulliby, the investiture was a mass ceremony in the cathedral, for Monsignor Farrasey was one of five prelates named at the same time. There was, however, a local celebration and a purse of appropriate proportions. Ten years later, St. Finian's was the scene of a memorable celebration, at which the Bishop presided and the Vicar-General preached. It was the Silver Jubilee of Monsignor Farrasey. The purse which was gathered at that time of lush speculation—it was just before the depression of 1929—reached to the amount of three quarters of the sum which it takes five figures to write. A third gala was planned in observance of the forty years of Monsignor's priesthood but it was abandoned on account of an unfortunate coincidence with the local war bond drive.

There are two antipodes of clerical conduct. At one extreme is the ultra-popular priest and at the other, the pontifical priest. The former can be recognized by a generally unsacerdotal deportment, with undue fondness for lay society. It is characterized by the "Cut-out-this-Father-stuff-call-me-Bob" form of association with

non-clerics. It is practiced by those who occasionally forget that they are priests but do not realize that they are the only ones in the company who forget this fact. Monsignor Farrasey is none of these. His latitude is that of the pontifical pole. He never forgets and he takes care that no one else forgets that he is not only a priest, but a pastor, a vicar forane, and a Monsignor. This quadruple claim to deference, in precisely this ascending scale, has to be met in every contact of the worthy prelate with priest or people. The best chair, the choicest morsel of food, and the last word on every subject are some of the evidences looked for as marks of the proper respect due to the Right Reverend Monsignor, Rector of St. Finian's, Dean of Ubinam County.

In the mind of the Monsignor, "correctness" is somehow confused with piety and, less logically, a stay-at-home life with priestly zeal. He is practically always at the rectory and, theoretically, always visible to any caller, though he is likely to regard most visitors, even those on parish business, as unjust aggressors on his leisure. His daily program is invariable. He rises at seven-thirty every morning. He is a believer in daily meditation, but not immediately on arising. His own practice is to defer mental prayer to some indefinite later hour of the day, with the result that neglect of it figures frequently in his bed-time examination of conscience. He always has Little Hours finished before Mass, which he celebrates every morning at eight o'clock. Except for the days on which a *Missa pro populo* is due, his Mass is regularly a High Mass and one of Requiem on all days on which black vestments can be worn. His thanksgiving consists in the recitation of a series of vocal prayers to which he has been accustomed since ordination. A hearty breakfast prepares him for the work of the day. The morning is devoted chiefly to the perusal of the *New York Times*. At eleven o'clock, he visits the school, returning to the rectory in time for the noon broadcast of news and the reading of Vespers and Compline before dinner. The mid-day meal is dinner, not lunch, and the food served is high in protein content with pie as the inevitable dessert. Dinner is followed by a solemn cigar with the curates in the pastor's so-called study. A siesta until three-thirty is *de rigeur* in the Monsignor's program. Then comes an hour or more of exercise in the form of a walk, always over the same route, down Fifth Street to Main Street, out Main Street to Jefferson Park, along the Lake

Drive to the beginning of Sunset Avenue, which he follows back to Fifth Street and the church. Before returning to the rectory, he stops in the church for a visit to the Blessed Sacrament and the recitation of the Rosary. The time until supper is usually spent in finishing the reading of the *Times,* though this is the hour during which the meditation, postponed from the morning, should be made. Supper is at six, the last stroke of the Angelus coinciding with the entrance of Monsignor into the dining room, where he expects to find the two curates already standing behind their chairs. Another solemn cigar with the clergy of the household occupies the time until seven, which is Monsignor's hour for anticipating Matins and Lauds. After eight, the V.F. goes out, sometimes to the house of a parishioner but more often to the neighboring rectory, St. Stanislaus', the pastor there, "Doc" Zoltowski, having been an altar-boy at Plymouth Ridge during Farrasey's brief administration. One could set one's watch at ten-thirty, when Monsignor unlocks the door of St. Finian's rectory on his return from his evening visit. The program is varied on Sundays when he goes "home," to the house of his younger brother, in Emersonville, ten miles down the Audubon Pike. Then, Tuesday evening is occupied with parish meetings and Saturday with Confessions, in which, however, the Monsignor's share is a light one.

It must not be imagined that the Right Reverend V.F. has followed this schedule throughout the thirty-one years of his pastorate of St. Finian's. The horarium just outlined has been the order of the day only during the last decade. Monsignor Farrasey has lasting memorials of his work all about him. When he came to Nulliby in 1913, St. Finian's was only a basement church. The present structure, with its massive tower, is the achievement of the Monsignor. The rectory is now twice its original size and the stone front makes it look even larger. St. Finian's had no school until Monsignor Farrasey built the present combination school and convent. He used to call it, "The child of my riper years," as it was constructed after his silver jubilee. True, an aroma of debt still hangs about church and school, but, as the Monsignor says, not without a touch of "corn," "We must leave something for the next generation to do."

Nor must we picture Israel Farrasy as leading even now a life, which, if eminently respectable, is also singularly useless. Incredible

as it may seem, he is greatly interested in the parish library and is moderately active in the campaign against indecent literature. The Farrasey Catholic Lending Library has nearly three thousand books on its shelves and is housed in the basement of the school building. Critics of the Monsignor love to point out that it was really Sister Cunegunda who did the pioneer work in establishing the library and, were it not for the self-sacrificing devotion of Miss Patricia Flynn, the library would not function as it does today. At all events, call Monsignor Farrasey's part in the founding and running of the library largely a hortatory one; the initiative was due to him and it was he who saw that branches of it were established in each one of the eleven parishes in his deanery. When he was assigned by the Bishop to the chairmanship of the diocesan commission for the suppression of indecent literature, he accepted the appointment without enthusiasm. Later, he became a convert to the cause, when he began to read one of the best-sellers and saw with his own eyes all the words spelled out which in old-fashioned novels would have been cautiously indicated by dashes. It was flattering, too, to see his name on the stationery of the organization and to have had the opportunity to speak on the subject of its activities at a meeting of the Nulliby Rotary, a speech which received due publicity in the *Ubinam County Republican.*

In the Monsignor's own mind, his claim to recognition was not only the work which he had done at St. Finian's and in such added activities as the Farrasey Library but the "correctness" of his priestly life. Never could even the shadow of an accusing finger be pointed at him. His life was an open book for all to read. He rarely left Nulliby. Two or three weeks' vacation in the summer took him to Bently Beach or St. Joseph's Spa, where he continued his edifying life in different surroundings. Once or twice a year, he went to New York, "to buy vestments." The yearly retreat of the clergy of the diocese accounts for his only other absence from St. Finian's. Just seven times in his life has Monsignor Farrasey been to the movies and two of these were within the past year when, on both occasions, he saw "The Song of Bernadette." He used to go to the theatre in New York, always to performances of the classic drama. This practice he has discontinued since his sorry mishap of several years ago, when he fell asleep, with certain sound effects, during Maurice Evan's performance of the uncut version

of "Hamlet." Once, now a number of years ago, he attended the races at Belmont Park but was much chagrined when, despite his lay collar and bow tie, the ticket-seller asked him: "How many, Father?" Since then, the Monsignor's idea of mufti has been the wearing of a black rabat. Only moderately interested in sports, Monsignor Farrasey has rarely been seen at a baseball game and only once at a football game and this time he was much confused to find that the play was no longer regulated by the rules of 1906. He always attends, however, the basketball game between St. Finian's Eighth Grade team and the Nulliby Junior High School, though he has never become reconciled to the brief trunks worn even by his own boys of St. Finian's. Personal participation in sports has never been a factor in the Monsignor's life. His exercise consists of the daily walk, supplemented by hours in a rocking-chair, while reading the *New York Times*. His real recreation is of the most "correct" type represented by his evening visits to the St. Stanislaus' rectory and the Sunday supper at his brother's, in Emersonville.

When Monsignor Farrasey is gathered to his fathers, both the epitaph on his tomb-stone and the personal references to him in the funeral eulogy, if they are to be true to life, should emphasize the fact that he was a "correct" priest. Not that strict clerical decorum is not most commendable and desirable. It is the protocol which regulates the priest's relations with the world in which he lives. But it is not an end in itself. One should not place on the binding the emphasis which belongs to the contents of the book. The "trappings and suits" belong only to the wearer, who, in Hamlet's words, has "that within which passeth show." It need hardly be added that our Monsignor Farrasey is an *ens rationis* and hence, as writers of fiction phrase it, any resemblance to actual persons or places is purely coincidental.

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MISSION INTENTION

"Generous Financial Support of the Missions" is the Mission Intention for the month of October, 1946.

THE SIGNIFICANCE OF ST. AUGUSTINE

One very definite method of developing a dynamic theological mind-life is certainly to be found in an extensive personal acquaintance, at first hand, with the thought and writings of St. Augustine. If anything can arouse a real interest in theology, a perception of its importance, inherent appeal, and vigorous power for bringing both challenge and satisfaction to one's own mind and to the minds of others, surely it is reading St. Augustine.

In his mind and writings, theology comes to life; abstract principles there glow with *splendor veri* and take on a high-voltage significance for practical human conduct because of the eager intensity and ardor with which they are presented. We see here, as we read, theology in the making, the first clear thinking out of many profoundly important principles and explanations. Because they were written in essay style, and in the heat of gigantic struggles over crucial, burning issues of Christian faith and thought, Augustine's works attain a pitch of intense interest and dramatic impact impossible to the labored, scientifically elaborate thesis-tractate methodology of modern textbooks.

To see theology as Augustine sees it is to see it fresh, alive, in its vibrant and energetic youth, with a psychologically vivid perception of its deep reality and absorbing import. To fuse in one's own mind the fruits of modern synoptic study of a theological problem, in the light of all its aspects and refined precision developed by centuries of acute speculative analysis, with the pioneering enthusiasm and creative energy of Augustine's writings is to vitalize one's knowledge of theology, to combine accuracy with *élan*, mature organization with the vigor and eagerness of an intellectual movement in its robust origins, a grasp of established conclusions with a tonic historical perspective of the idea's progress and adventures down the ages.

AUGUSTINE'S PERENNIAL INFLUENCE

This is also the only way to acquire a personal, first-hand understanding of the phenomenal and wholly unparalleled role which St. Augustine has played in the unending pageant of Catholic theology, and, indeed, of Western thought in general. He is one of the three dominant influences which primarily moulded the medieval mind—the other two being the Vulgate and Vergil. His

influx into the inner life of Christianity has no parallel since St. Paul, and he is, perhaps (in the words of Dom Leclercq), "the one man who has the most fully understood Christianity, who has felt it the most passionately, and who has, since his death, been more admired and loved than any other man in history."[1]

To Cayré, Augustine seems the most perfect of Churchmen, combining in an unparalleled degree holiness and knowledge, speculation and faith, action and contemplation—a daringly original thinker, yet perfectly submissive to tradition, revelation, and the authority of the Church; the most universal Doctor and the greatest mind the Church has ever had, only St. Thomas being comparable to him and even he Augustine's pupil.[2]

It was Augustine who shifted the theological center of gravity from East to West, who for fifteen hundred years has been the most pervasive and inspiring influence in theological thought, who has contributed to Christianity the greatest impetus by the sheer power of his own life and love and passionate devotion to truth.[3]

Augustine is a contemporary in all generations, a man whose exquisite sensibility and human ardor win the interest and affection of all ages. His great soul passed into his writings and there lives on undimmed to console, guide, inspire, and instruct all who yet come to him.[4] He was the intellectual sovereign of his own age, a fire burning on the heights;[5] his light and warmth have gone forth ever since and are still felt in undiminished vigor across the reaches of the world. His personal genius and his beneficent influence on later ages are such that he is to be judged, in Monceaux' words, "One of the men who have most honored mankind."[6]

AUGUSTINE AS THEOLOGIAN

The position of St. Augustine in Catholic theology is unparalleled. The decisiveness, extent, and perennial vitality of his influence over an unbroken period of fifteen hundred years make

[1] H. Leclerque, *L'Africque chrétienne* (Paris: Lecoffre, 1904), II, 5.

[2] F. Cayré, A. A., *Précis de patrologie et d'histoire de la théologie* (Tournai: Desclée, 1931), I, 695.

[3] C. C. Martindale, S.J., "Saint Augustine," in *Lectures on the History of Religions* (London: Catholic Truth Society, 1910), III, 32.

[4] Pierre de Labriolle, *History and Literature of Christianity from Tertullian to Boethius*, Translated by H. Wilson (New York: Knopf, 1924), pp. 391 ff.

[5] Giovanni Papini, *Saint Augustine*, Translated by Mary P. Agnetti (New York: Harcourt, Brace and Co., 1930), p. 310.

[6] P. Monceaux, *Histoire de la littérature latine chrétienne* (Paris: 1920), p. 131.

intimate contact with his thought not only indispensable for the student of theology, but unavoidable. Even St. Thomas' yet greater achievement does not supplant Augustine's, but rather incorporates and supplements it, bringing new life out of it by cross-breeding it with Aristotelian metaphysics and Thomas' own creative thought. Nearly every topic in the *Summa* or in modern manuals still glows with Augustine's light. It will glow also with his warmth if only read in the living context of the original book.

Augustine's contribution to theology was fourfold: passing on to the Western Church in readily assimilable form the vital ideas of the great Greek Fathers, clarifying confused issues by new terminology or distinctions, brilliant original thinking on many fundamental problems, and creating a powerful synthesis which brought into dynamic and fruitful union all ideas and principles, from whatever branch of revealed or human wisdom, which were relevant to the issues under discussion.

The huge significance of this fourfold contribution to Catholic theology in its actual historical development can hardly be exaggerated. It becomes overpoweringly evident once one studies theological thought, especially in the West, as it existed before and subsequent to his writing. For nine hundred years, theology and Augustine were practically convertible terms, and in the great Aristotelian revolution of the thirteenth century his is still the predominant and most honored element in the new systems. Had he not had Augustine's shoulders to stand on, Thomas could never have reached such heights as he did, and theology today would be far less advanced than it is. Geniuses of Augustine's stamp do not appear very often, it is clear. When the original did, he certainly left his mark, and the Church still throbs with new life from the impact of that creative force.

Virtually all of Augustine's theological output was in answer to the needs of his flock for Christian instruction, or in controversy with the vicious heresies of his day. The range of topics covered is consequently enormous, and the discussion often subtle and technical in the extreme. It would be folly to attempt to compress his teaching into a few brief paragraphs here. It will suffice to indicate some of the main conclusions established in the splendid analysis of his thought by Portalié in the *Dictionnaire*.[7]

[7] E. Portalié, "Augustin (Saint)," in the *Dictionnaire de théologie catholique*, I, cols. 2317-2457.

Manicheanism, Donatism, and Pelagianism were the main errors of the time, and Augustine in zealous defense of his people and of Catholic truth exposed and attacked these heresies with all his mighty powers, until in the end he had done them all to death. In the process, he made clearer than it had ever been before the relation of Faith to reason and authority. He showed that unless one understands somewhat that a thing is credible and truly revealed by God, one cannot believe it; but also that by thus believing, the mind is illumined and elevated to understand more fully.

The source of this divine revelation, he insists, is not only Scripture but the authoritative teaching and tradition of the living Church. Indeed, it is irrational, he bluntly points out (thereby destroying in advance the whole foundation of Protestanism and most earlier heresies as well), to believe the Bible a divine book except on the authority of the Catholic Church which attests that it is. The divinity of the Church itself he establishes by rational proofs: the inescapable evidence of God's working in the miracles of Christ and the Saints, in prophecies fulfilled, in the ever-present miracle of the Church herself, overpowering the world, human error, and man's proclivity to moral baseness.

He clarified the whole theory of sacraments by a profound discrimination of concepts, and by his analysis killed the Donatist heresy that the grace conferred depends on the sanctity of the minister, not the working of the sacrament itself. Evil, he triumphantly demonstrated against the pagans and Manicheans, is no positive metaphysical force struggling with God for man's soul, but a deliberate aberration of the free will setting itself against God's law by sin.

In searching into this mystery of iniquity, he made profound contributions to the psychological and moral analysis of sin, and etched with terrifying power the dread reality and consequences of Adam's fall. Yet he proclaimed as no other could the merciful remedy of man's weakness: grace. He practically created, in fact, the theology of grace, opening up nearly every aspect and ramification of the problem and in most (but not all) pointing out the solution which the Church has built on ever since. His bold and profound pioneering in this most intricate of theological problems has won him his chief glory and the title *Doctor Gratiae*. His thought still dominates this treatise today.

Equally epoch-making was his contribution to the doctrine of the Trinity. His was the lead in explaining the Generation of the Son and the Procession of the Spirit in terms of hypostatized intellection and love. He too kept fruitful and safe from abuse the Greek Fathers' insistence on the equality and special prerogatives of each of the Divine Persons by stressing the activity of the whole Trinity in all divine operations.

His analysis of the incarnate Word is no less striking and influential. The Greeks here had already worked out most of the doctrine; Augustine's contribution was preeminently the loving personal ardor with which he presented Christ in His humanity, divinity, staggering humility, and tremendous significance to every man as Redeemer, Leader, and one true source of Life. No Saint was ever more in love with Christ; none has ever made Christ more real and lovable for us. Augustine here was Paul and Teresa and Thomas all in one. Even in his pagan youth, no writing however beautiful fully satisfied him if it lacked that sweet name of Christ which *in ipso adhuc lacte matris tenerum cor meum pie biberat et alte retinebat.*[8] In mature age, this love had become a passion haunting all his thoughts.[9]

It was inevitable that he should cherish with unrestricted love the human members of Christ too, the Church, the *Christus totus: in capite et in corpore.*[10] To Augustine, the doctrine of the Mystical Body was a burning reality which wholly altered a man's outlook and conduct. His exposure of the mystery is everywhere in his works, and beautiful in the extreme.[11] To belong to the Church, in

[8] *Confessions* 3, 4.

[9] Note, for instance, the flaming love of Christ underlying this comment on the agony in the garden: "Qui mortuus est pro nobis, turbatus est idem ipse pro nobis . . . . Qui transfiguravit corpus humilitatis nostrae conforme corpori gloriae suae, transfiguravit etiam in se affectum infirmitatis nostrae, compatiens nobis affectu animae suae. Proinde quando turbatur magnus, fortis, certus, invictus, non ei timeamus quasi deficiat: non perit, sed nos quaerit. Nos, inquam, nos omnino quaerit: nos ipsos in illius perturbatione videamus, ut quando turbamur, non desperatione pereamus. Quando turbatur qui non turbaretur nisi volens, eum consolatur qui turbatur et nolens" (*In Ioannem* 60, 2). Or this reflection on the meaning of the Incarnation: "Processit ad nos in ipsum primum virginalem uterum, ubi ei nupsit humana creatura, caro mortalis, ne semper mortalis" (*Conf.* 4, 12). Or this revealing comment on the Old Testament: "Lege omnes libros propheticos, non intellecto Christo, quid tam insipidum et fatuum invenies? Intellige ibi Christum, non solum sapit quod legis sed etiam inebriat" (*In Ioannem* 9, 3).

[10] *In Ioannem* 28, 1.

[11] Cf. for example, *In Ioannem* 21, 8-9; 26, 13; notably 32, 8: "Accipimus ergo et nos Spiritum sanctum si amamus Ecclesiam, si charitate compaginamur, si

the bond of love, the spirit of Christ, the secure infallibility grounded on divine truth and its custodian in Peter's see, is for Augustine the greatest of man's goods. To be outside the holy Catholic Church is the most dire of all calamities.

How this Church is the natural home of all truth and of the human soul, the one indestructible support of all that is great and noble in man both in this life and the truer one beyond, is the burden of Augustine's greatest book, *The City of God*. Into the fabric of this colossal work (which took even his enormous energies thirteen years to compose) he wove a mighty pageant of human history and thought and all the best fruit of his own maturest thinking. It is supreme expression of that fulness of life and understanding which adherence to Christ and the Church had brought to this great genius whose vast powers of intellect and heart had never been, and never could have been, satisfied by any lesser challenge or object of fruition. That God alone is light and love and life is the aged Saint's exultant stentorian cry in *The City of God*. It is a cry which has echoed down the ages and cannot be stilled.

A striking characteristic of all Augustine's writing is his enormous love and reverence for the Scriptures. In them he found God's word, nourishing the soul with truth and inspiration, clarifying the mind with divine light and thrusting back the distorting shadows of human ignorance. Everywhere he uses Scripture with utmost ease and familiarity, for he had graven its truths upon his soul by constant loving study: *Studia mea flammantia vehementer in Scripturas tuas.*[12] His example here is of great significance: the human mind cut off from divine revelation or indifferent to its message is condemned to grope in darkness upon the most vital of life's problems. Whoever wishes to understand the things of God must still cry out with St. Augustine: *O Veritas, lumen cordis*

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catholico nomine et fide gaudemus. Credamus, fratres, quantum quisque amat Ecclesiam Christi [i. e., from context, membra Ecclesiae], tantum habet Spiritum sanctum." For detailed exposition of Augustine's thought on the Mystical Body, see Emile Mersch, S.J., *The Whole Christ*, translated by John R. Kelly, S.J. (Milwaukee: Bruce, 1938), pp. 384-440.

[12] *Confessions* 11, 22. Cf. 13, 15: "Neque enim novimus alios libros ita destruentes superbiam, ita destruentes inimicum et defensorem resistentem reconciliationi tuae defendendo peccata sua. Non novi, Domine, non novi alia tam casta eloquia, quae sic mihi persuaderent confessionem et lenirent cervicem meam iugo tuo et invitarent colere te gratis. Intellegam ea, pater bone!"

mei, non tenebrae meae loquantur mihi . . . . Tu loquere in corde meo veraciter; solus enim sic loqueris.[13]

There are, of course (for he is human), some errors and defects in Augustine's teaching, some cases where the darkness of human thought did not wholly succumb before the light of divine truth. His metaphysics is not always adequate, his science often misleading, his exegesis too frequently spoiled by misunderstanding of the Hebrew or Greek meaning, by extravagant allegory, or subjective imaginings. Some of his statements about Scripture, grace, redemption, hell, the resurrection of the body, the nature of the soul and of angels have been criticized and abandoned by Catholic theology in general. But these are small and rare specks upon the vast and brilliant mirror of eternal truth formed by his incredibly voluminous writings. Whatever deficiencies he could find in any of his works as he looked back in his old age he corrected, with amazing humility and intellectual honesty, in his book of *Reconsiderations*. With but few exceptions, then, all of Augustine's flood of uncountable ideas are constructive, sound, pure gold. They serve the purpose which alone brought them forth, at the cost of his leisure and longing for meditation—the vindication of divine truth and the profit of the Church and souls. This is theology indeed, vital and vitalizing.

AUGUSTINE AS SPIRITUAL GUIDE

Augustine not only developed theology and inspired a true scholasticism by infusing all Christian activity with thought; he also translated his speculation into Christian life, and thereby set the current of genuine Catholic mysticism.[14] The tremendous truths of Christianity were not for him mere principles of thought; they were burning realities which stirred the very depths of his soul and inspired to love and action. So too, in instructing others by word and writing, his fiery heart burns to communicate its love of that God whom his intellect unveils: *nam tu, Domine, puri cordis vitales deliciae.*[15]

[13] *Confessions* 12, 10, 16. Note the further exclamation at 12, 10: "Mira profunditas, deus meus, mira profunditas! Horror est intendere in eam, horror honoris et tremor amoris."

[14] Martindale, "Saint Augustine," p. 32.

[15] *Confessions* 13, 21.

The unction, sincerity and ardor with which thoughts of God burst up from Augustine's heart and the incomparable eloquence with which he puts them into human speech make him one of the most inspiring spiritual writers of all time. How many of his phrases have become the inmost whisperings of religious souls to God! How many are loved throughout the Church for their universal validity and their piercing beauty! *Sero te amavi, Pulchritudo tam antiqua et tam nova, sero te amavi!*[16] *Noverim me, noverim te.*[17] *O aeterna veritas et vera caritas et cara aeternitas! Tu es Deus meus; tibi suspiro die ac nocte.*[18] *Non dubia sed certa conscientia, Domine, amo te. Percussisti cor meum verbo tuo, et amavi te.*[19]

The greatness of Augustine as a spiritual guide lies in the perfect balance wherein all aspects of the Christian life are unified and coordinated while each is left free to develop to the limit of human powers. Intellect, will, emotions, imagination, natural temperament, and bodily expression all join under Augustine's leadership to praise and love and enjoy God to the fullest. The richness and abundance of his spiritual teaching supply material for a lifetime of prayerful study. And lest the sublimity of his aspirations engender presumption in the soul thus brought so close to God, there is the constant insistence on humility.[20] The more one reads Augustine, the more contagious his ardent Catholic piety becomes. There is a fire in that great heart which one cannot draw near to and not be warmed.

AUGUSTINE THE WRITER

We may conclude this study with a few remarks on Augustine's literary significance. The subject cannot be done justice except by a long and detailed analysis, and by extensive reading of his works in Latin. What is offered here are mere hints suggesting lines for further study and verification as one reads on in Augustine's own living words.

[16] *Ibid.* 10, 27.

[17] *Soliloquies* 2, 1.

[18] *Confessions* 7, 10.

[19] *Ibid.* 10, 6.

[20] For instance, "Tanta est quippe humanae humilitatis utilitas, ut eam suo commendaret exemplo etiam divina sublimitas. Quia homo superbus in aeternum periret, nisi illum Deus humilis inveniret" (*In Ioannem* 55, 7); "Magna gratiae commendatio, fratres mei: corda instruit humilium, ora obstruit superborum" (*ibid.* 81, 2, commenting on Christ's words "Sine me, nihil potestis facere"); "O quam excelsus es, Domine, et humiles corde sunt domus tua!" (*Confessions* 11, 31).

Beyond question, Augustine is a supreme literary artist. Another of his many titles to be termed the "Christian Plato" is this ability of his to clothe his speculation and eager exposition of his thought in language of the greatest beauty, vigor, and appropriateness. He pours the sparkling wine of his rich thought into word-vessels that are themselves exquisitely wrought works of art.[21] Not all his writings are of equal literary merit, of course, for even Homer nods. But his ordinary style is most sensitive and appealing. And when he is at his frequent best he carries us away by the vigor, brilliance, and virtuosity of his language.

The words are not always fully adequate to convey the ultimate depths of his ideas or emotion, but that is only because they are, after all, but human words. Like Pindar and St. Paul, Augustine is often at the mercy of ideas exploding in a chain-reaction, pressing to his lips or pen in such swift sequence and imperious clamor for expression that it puts a severe strain on his language to find words equal to their demands. But Augustine had such total mastery over all potentialities of the Latin tongue that he usually succeeds in getting into material embodiment all the substance of his thought together with most of the vitality and warmth which it has in his own mind. To observe the process—the struggle and the general success—is one of the fascinations of reading him.

As Papini says, "Those who know Augustine only through even the best of translations can form no adequate conception of his literary genius. His style varies unendingly: now it is pathetic and soulful like romantic prose; now flowing in solemn periods, sonorous and incisive, like Cicero at his best; now calm, simple, and definite like a dialogue of Plato; now like Tertullian, drastic and impetuous. He was the greatest writer of his time. . . endowing the ancient majesty of Latin prose with a deeper meaning and a cadence that is wholly modern."[22] By this fusion of the sonorous Latinity of classical authors with his own pulsing energy and the fresh vitality of the Christian spirit, Augustine become the creator and chief model of medieval Latin prose.[23]

Augustine's rhetorical training is often evident in his style—a love of counterbalance, rhythm, assonance, surprising twists of

[21] Cf. his own characterization of Latin poetry learned in school: "Non accuso verba, quasi vasa lecta atque pretiosa, sed vinum erroris quod in eis nobis propinabatur ab ebriis doctoribus" (*Confessions* 1, 16).

[22] *Saint Augustine*, p. 306.

[23] Cf. J. W. Mackail, *Latin Literature* (New York: Scribners, 1927), p. 249.

expression or word-order. This is seldom artificial or for its own sake merely; it is the spontaneous yet controlled impulse of an artist seeking to impart beauty, interest, and vitality to his language, that it may do fuller justice to the energy, significance, or overtones of his thought. He was an authentic poet at heart, and could not consent to use words carelessly. His powerful imagination drove him to speak time and again in daring, original metaphors: *abigo ea manu cordis a facie recordationis meae*, for instance, or *curis eviscerabar*.[24] His sense of rhythm and melody led him to draw out the sounds of words for musical effect: *Aequalis enim Patri Filius, per quem factus est homo, ut minor esset Patre factus est Homo: quod nisi fieret, quid esset homo?*[25] And naturally enough, his great energy of mind often endows his expression with remarkable directness and vigor, as in his explanation of how we can fulfil Christ's invitation to "come" to Him: *non pedibus, sed affectibus; nec migrando sea amando veniamus . . . . Migrat corde qui motu cordis mutat affectum. Si illud amas, aliud amabas, non ibi es ubi eras.*[26]

Augustine would sacrifice all rhetoric whenever he feared it might interfere with clarity or with the intended religious effectiveness of his words for simple and uneducated people. But where this danger was absent, he loved to give his literary genius freedom. The result is a great mass of writing in which to the interest and inherent worth of the thought is added the charm of a supple artistry in words and a vibrantly personal style. Augustine is so sincere, so earnest and often enthusiastic in his writing that his rhetoric nearly always rings true. It is simply his means of emphasis, or of startling us to attention, or (most commonly) of infusing into his words the full power and vitality of his own whole-souled appreciation of the thought. His words become the transparent medium of his mind, the mirroring forth of the whole man himself. Which is the essence of all great literary art: *Le style, c'est l'homme même.*

CONCLUSION

From this study of Augustine's perennial influence and his manifold significance as theologian, spiritual guide, and writer, a definitely practical conclusion is forced upon us—that here is no

[24] *Confessions* 10, 8; 6, 6.
[25] *In Ioannem* 78, 2.
[26] *Ibid.* 32, 1.

man to neglect or to know only at second hand and in scattered quotations in the textbooks. Augustine is too great a figure to leave aside, his position in the development and inner life of theology,[27] and indeed of Western culture in the large, is too central and dominant to allow indifference in the question of knowing him more intimately. To read Augustine at length is to inform one's theological knowledge with new life and background. It is to nourish one's spirit at a tonic fountainhead of living Christianity. It is an ideal, a habit, that should come naturally to priests, bringing one closer to the heart of God and filling the mind with priestly thoughts for the profit of both self and the faithful.[28]

Augustine's work is not yet finished. His vitalizing influence lives on in his writings to inspire, teach, and transform whoever will but take the simple means—laying hands upon Augustine's works and heeding the providential urging: *Tolle, lege! Tolle, lege!*

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[27] Portalié can say, "Il a été pour le développement et le progrès du dogme le plus puissant instrument de la providence" ("Saint Augustin," in *Dictionnaire de théologie catholique*, I, col. 2319).

[28] Augustine is certainly more important for us to know than every latest best seller currently in vogue. It is something one rightly expects of priests, as standard professional background.

THE POPES AND THE PRINCES

The peoples of the world will hear him gladly; but the rulers see in him a superior, and will not brook it. They cannot subdue him, and they will not be subject to his voice. They are therefore in perpetual conflict with him. But who ever fought against him, and has prospered? Kings have carried him captive, and princes have betrayed him; but, one by one, they have passed away, and he still abides. Their end has been so tragically explicit that all men may read its meaning. And yet kings and princes will not learn, nor be wise. They rush against the rock, and perish. The world sees their ruin, but will not see the reason. The faithful read in the ruin of all who lay hands on the Vicar of Christ the warning of the Psalmist, "Nolite tangere Christos meos;" and of our Lord Himself, "Whosoever shall fall on this stone, shall be broken, but on whomsoever it shall fall, it will grind him to powder."

—Henry Edward Manning in *The Vatican Council and its Definitions* (New York: P. J. Kenedy, 1896), p. 167.

THE SACRED DUTY OF HATING AND IMPRECATING

In an age of prevailing latitudinarianism, of frequent wishy-washy thinking, or, better, of no thinking at all in many cases, we may be tempted to lose sight of the inseparability of love and hatred. We simply cannot really love what is good, true and beautiful without hating what is evil, false and repulsive. We cannot really love God and His truth without detesting falsehood and all that is in any way opposed to God and His reign in the hearts and souls of men.

Where there is hazy thinking or illogical thinking, where there is no recognition of unalterable goodness and unchangeable truth, where the line of demarcation between good and evil, between truth and falsehood is supposed never to be fixed but always shifting, there is no reason for undying love and deathless hatred, for what one loves as good and true today may become evil and false tomorrow, and vice versa, what we hate as evil and false today may become good and true tomorrow.

Those who accept such false premises and deny that there is any fixed and changeless truth and goodness, object strenuously to the God depicted in some passages of the Old Testament. He is, they say, a God of vengeance, of jealousy, of hate. This picture is at variance, they argue, with the presentation of the God Incarnate contained in the pages of the New Testament.

The God of both the Old and the New Testaments necessarily hates evil and falsehood; otherwise He could not be God. He necessarily avenges evil that is willful and unrepented. He is necessarily a jealous God. That means simply that He must insist on being loved with a supreme love, more than any creature, simply because He is what He is—the *Summum Bonum* and therefore the *Summum Amabile*. To love any creature more than God is a profound disorder which God cannot but hate, for otherwise He would not be God. In other words God hates sin which consists simply in giving preference to a creature, a wretched, finite, imperfect *bonum,* often in giving preference to a merely apparent *bonum,* over God, the *Summum Bonum.*

If we bear these principles in mind, the imprecations in the psalms will occasion no difficulty. Yet not infrequently objection

is made against the maledictions contained in the inspired chants of David, such as, for example, in Psalm 136:

> O wretched city of Babylon, blessed is he
> That doth repay thee what thou didst do to us!
> Blessed is he that taketh thy sucklings,
> And dasheth them against a rock.

And in Psalm 107:

> Set over him a godless person
> And put an accuser at his right hand.
> When he is judged, let him come forth condemned;
> Let his prayer be turned into sin.
> Let his days be few and let another take over his office.
> Let his sons become orphans and his wife a widow.

"Utterly unchristian," it is said. "Such sentiments may be in place in the Old Testament but they are wholly out of place in the New Testament, wholly out of tune with the spirit, the teachings and the example of Christ!"

This attitude is incorrect. In the first place, if such maledictions are not in keeping with the spirit of Christ, then the Church would not be justified in requiring us to recite them in the breviary, but should rather follow the examples of the Anglicans who some years ago resolved to omit these "offensive" passages from the Psalter of the Book of Common Prayer. If the Church still insists on our reciting them, there must be a sense in which they are consonant with the teachings of Christ.

In the second place it is not true to say that the Old Testament teaching directly or by implication encourages an unmitigated spirit of revenge and hatred towards one's enemies. The following passages indicate the contrary:

> Thou shalt not hate thy brother in thy heart . . .
> Seek not revenge nor be mindful of the injury of thy citizen.
> (*Lev.* 19:17-18)

> If thy enemy be hungry, give him to eat;
> If he be thirsty, give him water to drink.
> For thou shalt heap hot coals on his head,
> And the Lord will reward thee.
> (*Prov.* 25:21-22)

> Do you therefore love strangers,
> Because you also were strangers in the land of Egypt.
> *(Deut.* 10:19)

> The learning of a man is known by patience,
> And his glory is to pass over wrongs.
> *(Prov.* 19:11)

Therefore it would be a great mistake to exaggerate the inferiority of the Old Testament's moral tone.

On the contrary it is possible to exaggerate the gentleness and kindness of our divine Lord. It would be a great mistake to make Him out to be a goody-goody sort of man—in the modern concept and phraseology, "a nice gentleman." He had the courage of His convictions and He did not hesitate to utter a justified imprecation. For example:

> Woe to thee, Corozain!
>
> Woe to thee, Bethsaida!
> For if in Tyre and Sidon had been worked the miracles that have been worked in you, they would have repented long ago in sackcloth and ashes.
> But I tell you, it will be more tolerable for Tyre and Sidon on the day of judgment than for you. And thou, Capharnaum, shalt thou be exalted to heaven? Thou shalt be thrust down to hell! *(Matt.* 11:20-24)

Then there is the terrific indictment of the Pharisees in the twenty-third chapter of the Gospel according to St. Matthew, where there is a series of eight "woes" (seven according to the best manuscripts), in which our Lord seven (or eight) successive times calls the Pharisees and Scribes hypocrites, five times calls them blind, and once foolish. He concludes:

> You also fill up the measure of your fathers.
> Serpents, brood of vipers, how are you to escape the judgment of hell?

In the passage relative to the general judgment our Lord tells us that He Himself will address the wicked in these words, "Depart from me, accursed ones, into the everlasting fire which was prepared for the devil and his angels" (Matt. 25:41).

The apostles learned well the lesson of their divine Master. Listen to St. Paul:

> Even if we or an angel from heaven should preach a gospel to you other than we have preached to you, let him be anathema *(Gal.* 1:8).

> . . . the Jews, who both killed the Lord Jesus and the prophets, and have persecuted us. They are displeasing to God, and are hostile to all men, because they hinder us from speaking to the Gentiles that they may be saved. Thus they are always filling up the measure of their sins, for the wrath of God has come upon them to the utmost (I *Thess.* 2:14-16).

St. Paul said to the high priest,

> God will strike thee, thou whitewashed wall. Dost thou sit there to try me by the Law, and in violation of the Law order me to be struck? *(Acts* 23:3).

And elsewhere,

> O full of all guile and of all deceit, son of the devil, enemy of all justice, wilt thou not cease to make crooked the straight ways of the Lord? And now, behold, the hand of the Lord is upon thee, and thou shalt be blind, not seeing the sun for a time *(Acts* 13:10-11).

St. Jude surpasses all the apostles in the force of his vituperative language.

> Certain men have stealthily entered in, who long ago were marked out for this condemnation, ungodly men who turn the grace of God into wantonness, and disown our only Master and Lord, Jesus Christ . . .
>
> These men also defile the flesh, disregard authority, deride majesty. . . . Woe to them! . . .
>
> They are clouds without water, carried about by the winds; trees in the autumn, unfruitful, uprooted, twice dead; Wild waves of the sea, foaming up their shame; wandering stars, for whom the storm of darkness has been reserved forever . . .
>
> The Lord has come with thousands of his holy ones to execute judgment upon all and to convict the impious of all their impious deeds, and of all the hard things that impious sinners have spoken against him *(Jude, passim).*

St. Thomas Aquinas discusses this matter in several questions of the *Summa.* In II-II, q. 76, a. 1, in answer to the question

Utrum liceat maledicere aliquem, he says that cursing or wishing evil on others for its own sake is evil, but to wish it on them *per accidens,* for the sake of their emendation or to safeguard society or to restore the disturbed balance of justice is perfectly licit. In II-II, q. 25, a. 6, he asks *Utrum peccatores ex caritate diligendi sunt;* he distinguishes in reply the nature and the guilt of the sinner. The nature of the sinner, since it is from God and is capable of eternal happiness, is therefore to be loved. But the guilt is opposed to God and to the sinner's own real interests and is therefore to be detested, even though that guilt be in one who is otherwise most dear to us.

Although we do not find this terminology in the Sacred Scriptures, we do find the doctrine underlying it expressed at least by implication in the pages of Holy Writ. We have, for example, our Lord's love for sinners; we have the statement of the divine will which would have all men to be saved. That implies love for the sinner. In the imprecations of the Psalms it is the guilt of the sinner, which is formally opposed to God, that is hated and cursed by the Psalmist.

> Shall I not hate them that hate thee?
> Shall I not pine away in grief at Thy enemies?
> I will hate them with a perfect hatred.
> Indeed they are Thy enemies too *(Ps.* 138:12).

At other times it is the thought of the vindication of the divine justice which inspires the Psalmist. For example:

> Why dost thou boast of thy iniquity,
> Thou who art mighty in sinfulness?
> You love evil rather than good,
> Iniquity rather than what is right. . . .
>
> Wherefore God will utterly destroy thee. . . .
>
> Good men will see this and will tremble in awe;
> They will laugh the sinner to scorn, saying,
> "Look at the man who failed to put his trust in God.
> He trusted rather in the vastness of his wealth;
> He considered himself mighty in his vain possessions"
>
> *(Ps.* 51:3-10).

Another motive back of the Psalmist's prayer for divine punishment on sinners is their conversion. For example:

> O my God, make them like whirling chaff
> Carried before the face of the wind.
> As a fire that rages in the forest,
> And as a flame which consumes the hills,
> So do Thou pursue them with Thy rage;
> Dismay them in Thy anger;
> Cover their face with shame,
> That they may seek Thy name, O Yahweh.
> Let them be put to shame and dismayed forever.
> May they be brought to confusion and perish.
> Thus they may know that Yahweh is Thy name,
> That Thou alone are the Most High Lord
> Over the whole universe *(Ps.* 83:14-19).

Other of the imprecatory psalms may be understood as prophecies. Thus can best be explained the bitterest of all the imprecatory psalms, CVIII. And we have the most excellent authority for so understanding it, since the Prince of the Apostles applies it to Judas *(Acts* 1:20), and our Lord Himself said in His sacerdotal prayer *(John* 17:12) that in regard to Judas the Scriptures must be fulfilled.

In regard to those offensive passages which pronounce blessings on men who kill the babes of Israel's enemies, it will be enlightening to recall that the psalmist was not thinking of those defenceless infants but of the future of the race. If such ardent propagators of polytheism and such fierce enemies of the knowledge and worship of the one true God as were the Assyrians and Babylonians were allowed to propagate their kind, the people of God would soon be hopelessly outnumbered and the knowledge and worship of Yahweh would be threatened with extermination. The psalmist in very graphic language prays that God may avert such a calamity from mankind. He voices his prayer in concrete terms, suggesting the most direct, speedy, and effective method of preventing the spread of an enemy nation which was at the same time an enemy to God and to the best interests of humanity.

May we not be animated with the sentiments expressed in the imprecations of the Psalms and direct them against all those who purvey falsehood and pornography, and thus rob the unwary of both faith and morals? Yes, I think that atheists and avowed

enemies of the supernatural, those who deny the validity of the moral law and ridicule the sanctity of marriage, may be had in mind when we recite the imprecations of the psalms. Impious voices are everywhere raised to curse Christianity, to defend the anti-social as well as the anti-Christian doctrines of divorce and birth control, to deny the immortality of the soul and the after-life. Professors of high respectability occupy chairs in famous seats of learning, and justify adultery, fornication, free love. They loudly proclaim that the ten commandments are antiquated and no longer deserve the respect of free and intelligent men. In a word, according to their views, man is an animal, a machine. The survival of the soul and future reward and punishment are denied. Therefore let man eat, drink, carouse, steal, and do whatever else he can get away with, for in a few short years he will be nothing. Thus is man robbed of his glory, reduced to the level of his supposed ancestor, made a brute without conscience. Man's liberty, his chief glory, is denied, and he is declared to be a mere machine without conscience, without ideals, without hope. Destroying these priceless values, materialistic professors offer and can offer no substitute, and the result is the triumph of brute lust and the domination of selfishness.

What priest will not pray with the utmost fervor,

> O my God, make them like whirling chaff
> Carried before the face of the wind.
> As a fire that rages in the forest,
> As a flame which consumes the hills,
> So do Thou pursue them with thy rage.
> Dismay them in Thy anger.
> Cover their face with shame
> That they may seek Thy name, O Yahweh?

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No greater evidence of His [Our Lord's] is needed to confound the unbeliever, than the fact that He so framed His Church as to secure her perpetual duration, whilst every human institution, howsoever wisely planned and powerfully sustained, after temporary prosperity, more or less rapidly dissolves.

—Archbishop Kenrick, in *The Primacy* (New York, 1848), p. 16.

SIMULATED CONSENT

Part IV

The record in the case of Mary Carson Holmes which was sent on to the court of second instance was made up in the usual way. The portions which went to the merits of the question, *i.e.,* the sentence given below and the various proofs which had been adduced, were listed as the *acta causae.* The citations, the returns of the bailiff, and such other formal documents in the case were listed as the *acta processus.*[1] These various parts were all indicated clearly in the index which accompanied the record in the case. Since all the pages of this record were numbered, as well as subscribed by the notary and impressed with the seal of the court below, it was easy to tell from this index just where to find everything.[2]

The copies made up by the notary of the court of first instance from the original record were bound and sent on to the court of the archdiocese accompanied by a testimonial from him as to their faithful transcription and completeness.[3] Since the court of second instance was familiar with the language in which the testimony of the witnesses had been given and reported there was no need, at this stage of the process, to make a translation thereof.[4] The rest of the record, the *acta processus* and the sentence, was, of course, kept in Latin from the beginning.[5]

The record had been carefully kept in the court below, with due regard for the forms of law, so there was no reason for the court of appeal to reject it as defective. Had it been rejected for this reason, the one whose negligence had resulted in such a rejection would have had to bear the expense of making it up again correctly.[6]

As soon as the court to which the appeal had been made received notice thereof, it set the case down on its docket to be heard by one of the *Vice-officiales* with the two synodal judges whose turn to be assigned to a case came next. At the same time notice of the receipt of the case and a copy of the record were sent to the office of the Defender of the Bond. A notary, too, was assigned to the case to handle it when it came on for trial. All this, of

[1] Cf. Can. 1642.
[2] Cf. Can. 1643, §1.
[3] Cf. Can. 1644, §1.
[4] Cf. Can. 1644, §2.
[5] Cf. Can. 1642, §2.
[6] Cf. Can. 1644, §3.

course, was preliminary to any formal action on the case, for there were several others ahead of it and it did not require any particular priority of handling. It would, therefore, have to be taken up in its turn according to the time of its filing.[7]

The tribunal of the archdiocese to which the case of Mary Carson Holmes went on appeal was made up of three judges, just as the court had been in the diocese where it was first heard.[8] Because of the number of cases coming up on appeal from the various suffragan sees to this archdiocesan court[9] the case of Mary Carson Holmes went to one of the *Vice-officiales*[10] sitting with two of the synodal judges whose turn it was to consider a case.[11] By using this system the archdiocesan tribunal was able to handle three cases at the same time, one under the guidance of the *Officialis,* and two under that of the *Vice-officiales.* All of the judges had taken their oaths of office at the time of their appointment,[12] as had the notary assigned to this case from the group of notaries in the Chancery office,[13] so there was no delay for the taking of oaths.

The Defender of the Bond for the archdiocese had too many cases coming before him, both from the territory of the archdiocese and on appeal from the courts of the suffragans to be able to handle all of them himself. As a result, two of the younger canonists were assigned to his office to work under his guidance on cases which he confided to them. One of those assistants to the Defender was given the case of Mary Carson Holmes. When the Defender notified the Chancellor which one was to work on the case the latter prepared a document in which the younger man was appointed Defender for that particular case.[14] Thus he could be cited for the various steps of the trial for which the citation of the Defender was required for validity of the acts.[15] On appearing before the

[7] Cf. Can. 1627.

[8] Cf. Instruction to be observed by diocesan tribunals in handling cases of nullity of marriages, S.C. Sacr., Aug. 15, 1936, *AAS,* XXVIII (1936), 313 (Bouscaren, *Canon Law Digest,* II, 471-530; Doheny, *Canonical Procedure in Matrimonial Cases),* hereinafter cited by articles, Art. 13; Cf. also Can. 1576, §1, 1°; 1596; 1892, 1°.

[9] Cf. Can. 1594, §1.

[10] Cf. Art. 14, §2.

[11] Cf. Art. 14, §4.

[12] Cf. Art. 20; Can. 1621.

[13] Cf. Art. 17; Can. 1585.

[14] Cf. Can. 1588, §2.

[15] Cf. Art. 15; Can. 1587, §1.

tribunal for the first time he took the oath of office for that case before the *Vice-officialis* who had been properly delegated to receive his oath.[16]

The first question which the court of second instance had to answer was whether it was competent in the case. The appeal had been taken from the decision of a tribunal of one of the suffragan sees which had a right to appeal to this archdiocesan court. The court below had been competent to hear the case in question because of the quasi-domicile of the Catholic plaintiff, and on the record it was clear that there had been no fraud on the court of the place where the marriage had been contracted. There was, consequently, no reason for the court of appeal to refuse to take the case because of some defect of competence. As to this point, then, the answer was affirmative, that the case could be heard on appeal before this court of second instance.

The next point which came up was whether Mary Carson Holmes had a right to appear on appeal before this court. There was a legal appeal for the court of second instance to take up the case and decide it.[17] An appeal had been made in the court below, which was on the record, for when it had been made orally in the court of first instance it had been immediately written down by the notary.[18] The original bill of complaint was on the record, too, to show who was seeking a declaration of nullity, on what grounds it was sought, and who the respondent was, so the court of the archdiocese was fully informed on these points from the record itself.

The court of appeal, then, considering the record, did not find that Mary Carson Holmes, the plaintiff, was in any way the culpable cause of the nullity of the marriage in question which was attacked on the grounds of simulated consent on the part of the respondent. It decided, therefore, as the court below had, that she was entitled to present her case for consideration.[19]

When his mandate from the plaintiff, subscribed by the Chancellor of the diocese in which the first trial had been held, was filed in the court of the archdiocese, Fr. Brown was admitted by the court of second instance as attorney-in-fact for Mary Carson

[16] Cf. Art. 20.
[17] Cf. Art. 34.
[18] Cf. Can. 1882.
[19] Cf. Art. 37.

Holmes, the function he had performed in the court below.[20] The archbishop, upon request, approved Fr. Brown for practice before his court for this case[21] in view of the fact that he had been attorney-at-law for the petitioner below, though he was not on the regular roster of advocates in the archdiocese.[22]

When the judges, by majority vote,[23] had decided to allow the appeal, they authorized the summons of the parties.[24] Mary Carson Holmes was really under their jurisdiction by voluntary submission when she filed her appeal asking this court of second instance to hear and decide her case, but the respondent, John Holmes, had to be cited in the usual way. He answered the registered letter containing the citation,[25] again saying that he was unable to yet to leave the hospital, but would co-operate in every possible way in order to help Mary. Notice in the form of a summons was sent likewise to Mary and her attorney-in-fact, that they might know when it would be time for them to appear for the joinder of issue on the appeal.

Fr. Brown appeared for Mary Holmes at the joinder of issue. John Holmes was held, because of the reason stated in his reply to the summons, not to be contumacious in failing to appear.[26] He was, however, notified of what was agreed, namely, that the point at issue would be: Whether it is proved that the marriage in question is null and void on the grounds of simulated consent? This was the formula approved by the tribunal.[27]

The judges then took up the proofs in the case, using the statements of the parties which were already on record for what they were worth, the documents which had been produced, including the letters which John had written to Mary, the testimony taken in the course of the trial in the court of first instance, and the legal presumptions which were appropriate to the case in question. New witnesses could have been called, had there been any who

[20] Cf. Art. 49.

[21] Cf. Art. 48, §4.

[22] Cf. Art 53.

[23] Cf. Art. 61-67; Can. 1709; Art. 13, §2; Can. 1577, §1; Can. 101.

[24] Cf. Art. 74; Can. 1711, 1712.

[25] Cf. Can. 1719.

[26] Cf. Can. 1729.

[27] Cf. Art. 92; Can. 1729, §§2, 3.

could throw further light on the matter under consideration, but it appeared that this source of proof had been exhausted in the court below. There were likewise no further documents available to cast light on the case. The legal presumptions also remained unchanged. The court below had evidently been thorough in its investigation of all the sources of information regarding the marriage of Mary Carson and John Holmes.

As a result, the court of second instance merely had to go over the record and decide whether the judges below had rightly decided the case on the basis of the evidence adduced and the law applicable thereto. Thus the court of second instance was able to come quickly to the publication of the process,[28] and the conclusion of the case.[29]

Fr. Brown was then ordered to present his brief. Again, much as he had done in the court below, he argued for the nullity of the marriage on the grounds that John Holmes did not really intend a marriage when he said "I will," in the presence of the chaplain there in the chapel on the station. The Defender again pointed out, as the Defender in the court below had, that there was nothing on the record to show that the reluctance which John had admittedly felt at the time of the first marriage had operated at the time of the second, religious, ceremony, to make him say the words of the ceremony without intending them to mean what they seemed to. While there had been reluctance in the time remotely preceding the ceremony, there had been none in the period when Mary was with him at the station before, during, and after the ceremony. If there was any state of mind which might have indicated an intention to say the words without attaching to them their usual meaning, this did not appear from the testimony of those who had been called in the case. No other witnesses had been produced to substantiate what was asserted by the plaintiff as the ground of nullity, so the allegation was not legally proved. Any presumption of intention not to mean what he said was too remote from proven facts to be indulged in by the court.

In the course of the discussion of the case after the exchange of briefs between Fr. Brown and the Defender, the judges wanted to know, just as those in the court below had, what Fr. Brown

[28] Cf. Art. 175, 176; Can. 1858, 1859. [29] Cf. Art. 177, 178; Can. 1861.

had found in the case to warrant presenting it to the court for a declaration of nullity. They went into each point in his brief and were rather more severe in their questions than those in the court below had been. Among other things they wanted to know just how thoroughly he had checked on Mary Carson Holmes' story when she first came to him.

It appeared that he had done very little checking on her story, but had merely accepted whatever she had told him, and on that basis, without consulting the persons she had named as prospective witnesses, had drawn up the bill of complaint and presented it to the court. From their attitude he could see that the judges were not too well pleased that he had presented the case without discovering first to what the witnesses would be able to testify when they came into court. They did not say it in so many words, but they intimated that while it would have been wrong for him to go to see the witnesses to tell them what they should say if they were called into court, still he should have found out whether what they were going to say would constitute sufficient proof in corroboration of the plaintiff's story to enable the court to decide the case in the way that he was asking them to decide it. Otherwise, it would turn out, as it had in the present case, that the party's hopes were raised only to be dashed, and litigation was undertaken which did not have much hope of success.

Coming out of the court-room after this session before the judges, Fr. Brown resolved heartily that never again would he take a case without discovering first whether he would be able to prove in court what he asserted in the bill of complaint which he drew for the plaintiff. This case had gone sour on him almost from the time that Mary Carson Holmes herself had taken the stand to tell her side of the story. He could see that now, when he considered again the deposition which she had made before the court below. He had been so convinced of her sincerity and so sure of the arguments which might possibly be brought up in her behalf that he had not seen how the decision could go against her in court. On reflecting, however, he saw that she, like so many other people, had thought about her case so much that she had convinced herself of the justice of her position. She had also, consciously or unconsciously, woven extra details into her story to such an extent that she could not feel other than justified in asking for a declaration

of nullity. He realized, now, that he had himself been so flushed with enthusiasm for his first formal case that he had allowed himself to be led astray by a story which was convincing on its face without checking on it to see how it would look in black and white before the judges when they had to look only at the cold testimony on the record.

After considering all this at length he was not too surprised when he came into the court-room for the reading of the sentence of the court of second instance in the case. The judges had deliberated as those of the court below had done, and had reached the same conclusion, *Non constat.*

The sentence of the court of the archdiocese was much the same as that of the court of first instance. It began in the usual way, with the exception that the court of second instance mentioned the year of the pontificate of the present Pope in addition to giving the year of Our Lord.

The *species facti* which followed the formal opening statements recited that this case had come up on appeal from the Diocese of ——, a suffragan see, where the court had decided *Non constat.* It then set forth briefly the facts, *i.e.* that Mary Carson and John Holmes had been married first by a Justice of the Peace because he had felt that he must give the child a name, but had not wanted to be united permanently to the plaintiff. Subsequently, however, these two had gone through a religious ceremony in the presence of a priest and two witnesses. There had been some annoyance of the parties by the mother of the plaintiff, but this had not borne directly on the decision of the respondent to go through the religious ceremony. The couple had cohabited briefly after the second ceremony and had been separated by the fortunes of war. The respondent had written that the plaintiff should get a divorce, but this appeared to be an after-thought, something which had arisen not from antipathy to her, but from a sense of unworthiness which had no bearing on the intention to contract marriage at the time of the ceremony.

In the section entitled *"In iure"* the court of appeal discussed the nature of matrimonial consent, citing the appropriate canons. It also took up the effects of valid marriage and the presumption in favor of the validity of a marriage which has been contracted in due form.

The section entitled *"In facto"* contained an application of the

law stated in the previous section to the facts developed in this particular case. Referring to the record by page and line the court pointed out that in the present case there was no proof to substantiate the claim that John Holmes had merely simulated and had not given real consent to the marriage in question.

In conclusion the court stated that its answer to the question posed at the joinder of issue must be *"Non constat."* It likewise taxed the costs of the appeal on the appellant, plaintiff below.

Mary Carson Holmes, when she was informed of the decision, was very much disappointed that she had not obtained the declaration of freedom to marry which she had been counting on. Fr. Brown explained that marriage cases never become *res judicata;*[30] so they can always be reopened on the discovery of new evidence, but advised her that from all that had appeared in the case there was no use in going on with it. This was not easy for him to explain, for, having caught her enthusiasm in the first place and having carried through the case in the first instance and on appeal, he had led her to believe that there was hope of obtaining the declaration of nullity which she sought. When now he had to turn about and explain that it would be useless to continue further, he found that she did not like the decision nor did she feel kindly toward him who so advised her.

That was all the more reason, he concluded, for being more careful next time in taking up a marriage case at all. While it might be true that some people had cases worthy of consideration, and deserved attention and all the zeal of the advocate in their presentation, there was nothing to be gained and much to be lost in taking up a case which had no merit. In a way, though he had been chagrined at first at the questions which the judges of both courts had put to him during the oral discussions, he was thankful that they had had the perspicacity to see that there was really no merit to this case. Had he won out, had they been less careful in scrutinizing the evidence, as he had been incautious, there might have been a decree rendered which would allow Mary Carson Holmes to remarry when John had really intended marriage to her, so that she would in fact have been permitted to commit adultery.

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[30] Cf. Art. 217, §1.

THE CATHOLIC CHURCH AND FREEDOM OF RELIGION

A rather recent Protestant commentary upon and use of the pamphlet *Freedom of Worship,* written by the distinguished American theologian, Dr. Francis J. Connell, C.SS.R., should be a matter of some concern to the priests of this country. Dr. Connell's pamphlet appeared in the spring of 1944.[1] Last summer two non-Catholic periodicals carried excerpts from *Freedom of Worship.* Speaking of the teachings which it has quoted from Dr. Connell's work, the August *Christian Herald* suggests a negative response to the question "Do these beliefs and principles, as heretofore stated, support the Constitution of the United States and the basic American principle of complete freedom of worship and absolute separation of Church and State—including freedom not to worship?"[2] The July 29 issue of *Time,* introducing its notice of the *Christian Herald* article, begins by printing that section of the First Amendment to the United States Constitution which says that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . ." and then goes on to make this serious charge against American Catholics:

> Nothing about Catholicism so confuses—and often dismays—U. S. Protestants as the stand of the Church on freedom of worship. Does Catholicism support the first article of the Bill of Rights? In U. S. practice, yes; in principle, no.[3]

That such an unwarranted and erroneous meaning could be read into a perfectly objective and accurate statement of Catholic principle must necessarily be disquieting to American Catholics. If the *Time* conclusion were correct (as it most certainly is not), then the Catholics of our country would be reduced to the category of second-class citizens, upholding out of mere expediency a basic regulation of civil law contrary to God's teaching. It would be bad enough if such an error belonged in the realm of purely specu-

[1] The pamphlet was published by the Paulist Press, New York. It is the reprint of an article which first appeared in *Columbia,* XXIII, 3 (Dec. 1943), 6 ff.

[2] The *Christian Herald,* LXIX, 8 (Aug., 1946), 51.

[3] *Time,* XLVIII, 5 (July 29, 1946), 56.

lative thought. Unfortunately, however, its implications are decidedly practical. Disseminating the false notion that accurate Catholic teaching shows American Catholics "in principle" opposed to the Bill of Rights can only serve to encourage that religious underworld which is continually engaged in badgering the Catholic Church and which can apparently be satisfied with nothing less than an out-and-out, Russian style persecution.

What *Time* and the *Christian Herald* seem to have in mind is a fear that the Catholic Church might possibly resort to coercive measures against non-Catholics in the event that the majority of American citizens should ever become members of the true Church of Jesus Christ. They claim, but, as we shall see, without any justification whatsoever, to find grounds for that fear in the Catholic principles enunciated by Dr. Connell.

Such a fear on the part of non-Catholics is a strange sort of thing. It obviously has no support in American history. Our Republic has seen many instances of extra-legal religious persecution and many powerful societies devoted to the destruction of religious liberties. In no one of these cases have American Catholics been at fault. Such social monstrosities as the Know-Nothings, the A.P.A., the Ku Klux Klan and their ilk have been composed of men who claimed the title of Protestant just as articulately and with apparently as good reason as does the writer in the *Christian Herald*. These organizations have never had anything like a Catholic counterpart. Neither have Catholics, during the long life of the Republic, ever been responsible for such outrages as the burning of the Convent in Charlestown and the mob violence which disgraced Boston and Philadelphia during the nineteenth century. It is at least remarkable to find men speaking out as defenders of the religious system which the authors of these outrages and the members of these un-American and un-Christian societies claimed to accept, pass over the manifest faults of their coreligionists and suggest that there is danger against religious liberty from the one group which has been the object of persecution.

Although it is definitely disquieting that such a blundering pronouncement has been made and spread abroad, the cause of God's truth will gain little if we do nothing more than lament the false logic which engendered this slur on Catholicism. We have clear and adequate evidence that the Catholic principles enunciated in

Dr. Connell's pamphlet are not in any way opposed to the pronouncement of the first article of the Bill of Rights on freedom of religion. Furthermore we can show that the Catholic teaching with reference to religious usage in countries of mixed population not only is not opposed to the principle underlying the first article of the Bill of Rights, but actually contains that principle. In order, however, to see the full implication of this evidence, it will be necessary first to inquire into the content of Dr. Connell's pamphlet, and then to investigate the use made of his teaching in the *Christian Herald* and in *Time*.

THE CONTENT OF DR. CONNELL'S PAMPHLET

Freedom of Worship first presents the Catholic notion of doctrinal intolerance. It points out the fact that God has commanded all men to live within the unity of the one Church which His Son has founded. It also indicates the inescapable corollary to the truth of the Catholic Church's necessity: the perfectly certain thesis that participation in any worship other than Catholic worship, membership in any religious society outside of the Catholic Church, acceptance of any religious teaching opposed to the Catholic creed, can only be considered as objectively contrary to the divine precept.

Dr. Connell also stressed in his pamphlet that no less Catholic principle of personal tolerance. He brought out the fact that Catholic morality insists absolutely upon a true and sincere love of charity on the part of members of the true Church for those outside the fold of Christ. He showed that the teaching of the Catholic Church forbids persecution of non-Catholics on the grounds of their sincere religious beliefs. Furthermore he insisted upon the basic Catholic truth that no person may in any way be constrained to enter the true Church of Jesus Christ.

Dr. Connell's pamphlet then considers the application of these two principles to the conduct of governments. It teaches that the Catholic government of a completely Catholic country would have the right to forbid anti-Catholic machinations within its own borders. It also shows that such a government might well treat all religious societies on an equal level in civil law. In passing, Dr. Connell makes the perfectly obvious observation that, in practice, Catholic governments are generally much more tolerant towards non-Cath-

olics than are distinctively Protestant states towards members of the true Church.

Speaking of nations like our own, where there is certainly no one religious group predominant, Dr. Connell states that complete religious equality for all groups is manifestly the best policy. He ends his pamphlet with the reminder that, under no circumstances, should a Catholic allow his non-Catholic neighbor to remain under the illusion that the Catholic Church in any way countenances the error that any Church other than the Catholic is authorized by God.[4]

THE *CHRISTIAN HERALD* CATECHISM

The *Christian Herald* for August, 1946, quotes extensively from Dr. Connell's pamphlet and discusses it in the article "Does the Catholic Church believe in Freedom of Religion?" The article consists of fourteen questions and answers, preceded by two paragraphs of introduction. The answer to the first question merely names the author and the publisher of *Freedom of Worship* as well as the distinguished Prelate who gave the pamphlet the *imprimatur*. The answers to eight of the questions are somewhat carelessly edited excerpts from Dr. Connell's text. Four of the other answers contain a commentary on Dr. Connell's teachings. The remaining answer quotes sections of the first amendment to the Constitution and of the Virginia Statute of Religious Liberty, with which Dr. Connell's teachings, according to the *Christian Herald* at least, are supposed to conflict.

Now to take sentences and parts of sentences from one man's written work, and to present them as answers to questions framed by another person is at best difficult and ticklish work. There is always the very obvious danger that the original author's meaning will be distorted in this process. Notable misrepresentation of the original author's teaching occurs manifestly when a term or an expression has a meaning in his statement quite distinct from that which it conveys in the question to which it is attached. A catechetical adaptation of a work written in non-catechetical form can be accomplished successfully only when the person who writes the

[4] Dr. Connell's article contains thirteen and a half pages of text. In order to save space, I have given a digest of his teachings without citing his actual sentences.

questions and who arranges and selects the portions which are to be used as answers thoroughly understands the content of the document he is editing and is scrupulously and sincerely anxious to present the original author's doctrine with strict accuracy. Unfortunately, it appears that the *Christian Herald* writer was not competent to make an accurate catechetical arrangement of Dr. Connell's teaching.

Perhaps by reason of carelessness, perhaps because it honestly misunderstood Dr. Connell's teaching, or again, it may well be through blind antipathy to Catholic truth, the *Christian Herald* has seriously misrepresented the content of *Freedom of Worship*. It asks: "Does each American have the right to choose his religion?" As an answer to this key question it chooses three excerpts from Dr. Connell's teaching on the Church's doctrinal intolerance.[5] The manifest significance of "right" in the question is that of a right granted by our civil law. The no less obvious meaning of the same term in that section of Dr. Connell's writing which the *Christian Herald* has used as an answer is that of a right given by divine positive law. The force of the *Christian Herald* slur on the loyalty of American Catholics to the Bill of Rights is derived from this basic ambiguity.

Again the *Christian Herald* editor asks the question: "May Catholics persecute non-Catholics?" As an answer to this query he quotes a sentence from Dr. Connell expressing a definite negative response. To this sentence, however, the author of the "Catechism" adds another, which in the *Christian Herald* context appears to be a kind of qualification of Dr. Connell's denial, and which, in Dr. Connell's context, turns out to be something different altogether.[6] Such "editing" shows that the arranger either did not understand the perfectly clear teaching of *Freedom of Worship* or was guilty of sharp practice in trying to bring his readers to dislike Catholic teaching by making it appear to be other than what it is. In any event, apart from this misleading section on the Catholic prohibition of religious persecution, the writer in the *Christian Herald* makes no attempt to explain the teaching on personal tolerance, which is an essential part of Dr. Connell's exposition.

When he comes to deal with that section of Dr. Connell's article which explains freedom of worship in distinctively Catholic coun-

[5] *Christian Herald*, p. 19. [6] *Ibid.*

tries, the arranger's methods are still more questionable. He selects certain portions of Dr. Connell's document which tell that completely Catholic governments would be justified in forbidding anti-Catholic agitation within their territories as an answer to the question: "What should be the conduct of a Catholic government toward non-Catholics in its domains?"[7] Dr. Connell's second section, the one which says that a completely Catholic state would also be justified in dealing with all religious societies on the same level furnishes excerpts which are pieced together to form the response to the question: "Does the Roman Catholic Church ever tolerate other religions?"[8] The last sentence in the first of these two answers begins with the word "Similarly." In the *Christian Herald* edition of the text it appears to denote a relation between the sentence which it begins and the one immediately before it in the *Christian Herald*. In the original document it refers to an entirely different situation. In the second of these answers, the *Christian Herald* has neglected to put a final quotation mark after words taken from Pope Leo's *Immortale Dei,* thus, in effect, running a part of Dr. Connell's own composition as a section of the encyclical.[9] The process is much more flattering to the Catholic University's distinguished theologian than to the *Christian Herald* proofreaders.

In dealing with the final portion of *Freedom of Worship,* the *Christian Herald* is exact enough. In the answer to the question: "What is the attitude of the Catholic Church in non-Catholic countries?" it includes the following pertinent words from Dr. Connell:

> If the word "rights" is taken in the sense of *civil rights* in the United States or in countries where there are similar religious conditions, Catholics have no hesitation in stating that all religions should have equal rights.[10]

In other words, according to the text cited by the arranger himself, the constitutional attitude of the American government in dealing with the various religious bodies throughout the United States is precisely what Catholic principles say it should be! Perhaps that was why the *Christian Herald* professed to find Dr. Connell's pamphlet "startling." At any rate the writer felt it

[7] *Ibid.*
[8] *Ibid.*
[9] *Ibid.*
[10] *Ibid.*

necessary to add a commentary which serenely disregarded the evidence contained in *Freedom of Worship*.

THE *CHRISTIAN HERALD* COMMENTARY

Some of the details of the commentary on Dr. Connell's teaching are of interest to us chiefly because of the fact that they help us to appreciate the mental background of the type of person who could imagine that the Catholic teaching set down in *Freedom of Worship* in some way goes counter to the spirit of the Bill of Rights. Blandly oblivious of the fact that the only truly persecuting government in our time which could properly be called either Catholic or Protestant is the shameful Orange clique which runs Northern Ireland, the *Christian Herald* denies Dr. Connell's observation that "In practice, Catholic governments are generally much more liberal toward non-Catholics than are distinctively Protestant states toward Catholics."[11] With a knowledge of ecclesiastical history apparently limited to a muddled understanding of an article published in the *Time* issue of Feb. 25, 1946 (not Feb. 22, as the *Christian Herald* would have it), the *Christian Herald* writer claims that "the beliefs and principles as above stated" were not held by Alfred E. Smith and were probably not accepted by Cardinal Gibbons and Archbishop Ireland.[12] The *Time* article to which the arranger refers was not notably exact on some things, but it certainly never even suggested the historical absurdity that these Catholic churchmen would be found to deny that the Catholic Church is the only Church authorized by God, to repudiate the Catholic doctrine of personal tolerance, or to reject as contrary to Catholic principles the provision of the American Constitution's first amendment.[13] The distinction of inventing this monstrosity rests with the *Christian Herald*.

The point on which the entire *Christian Herald* article converges is the implication that the Catholic principles enunciated by Dr. Connell do not "support the Constitution of the United States

[11] *Ibid.*

[12] *Ibid.*, pp. 19, 51.

[13] Some mistakes about the Catholic Church contained in this particular *Time* article are discussed in *The American Ecclesiastical Review*, CXIV, 5 (May, 1946), 369 ff.

and the basic American principle of complete freedom of worship and absolute separation of Church and State—including freedom not to worship."[14] After quoting sections from the first amendment to the Constitution and from the Virginia Statute of Religious Liberty, as the standards by which the Americanism of Catholic principles must be judged, the commentator comes to the last question of his article: "Could the Constitution of the United States be changed?" In his answer we find the following passage:

> It is difficult to believe that if the Roman Catholic Church became a majority church in the United States, it would not be bound by its belief to change the Constitution. Certainly if we, as Protestants, held generally concerning our Protestant faith, beliefs comparable to those of the Roman Catholic Church, we would change the Constitution! Our Protestant beliefs and principles wrote, and are reflected in, the Constitution. We may and do respect the faith of our Catholic fellow citizens. We would die to defend the freedom in which they propagate their faith.[15]

The first sentence of this passage is an absolute denial of the pamphlet which the commentator professed to accept as "an official Roman Catholic publication."[16] The *Christian Herald* somewhat overestimates the significance of an *imprimatur* in imagining that it renders the document bearing it "an official Roman Catholic publication," but, in this case, the Protestant periodical has stumbled upon a remarkably accurate and clear statement of the Catholic position. The document which it has examined, and from which it quotes, states unequivocally that, according to Catholic principles, it is best to treat all religions in the same way in countries where the population is mixed. The population would still be mixed if the Catholic Church should become (as God grant, it may), the Church of the majority of the citizens of this country. If the majority of Catholics over non-Catholics in this country should become as preponderant as it is in Eire (as God grant, it may), then there is no reason in the world to suppose that American Catholics would be less enthusiastic about civil freedom of religion than are their Irish brethren. If, however, by some tremendous miracle of grace all Americans should become members of the true Church, I

[14] *Christian Herald*, p. 51.
[15] *Ibid.*, p. 52.
[16] *Ibid.*, p. 18.

venture to say that the Republic could do nothing better than to offer a corporate act of thanksgiving to God officially in the Catholic Mass. In that case there would be, we may presume, no objection.

The second sentence in the last passage quoted from the *Christian Herald* tells us that Protestants would certainly change the Constitution (presumably the statement refers to the first amendment specifically), if they held about their faith beliefs comparable to those which the Catholic Church holds about its own. Now the Catholic Church believes and teaches that its faith is the acceptance of the one supernatural message actually revealed by God through Jesus Christ Our Lord. It is, of course, quite impossible to speak of any *one* Protestant faith, but it is perfectly certain that each one of the original proponents of the various Protestant religious systems presented his teaching as the only correct statement of the divine message to mankind. In making this claim, they were lamentably and demonstrably in error. Nevertheless, the fact is that they did profess to teach God's truth. No one could seriously profess to be a Christian religious leader, nor indeed to be in possession of the Christian truth, without feeling that, for his teaching at least, this claim is justified.

The fact that the *Christian Herald* writer could make the statement to which we have referred would seem to indicate that for him, and for men like him, God's truth has ceased to have any significance whatsoever. If such persons thought that they really held and preached a message which God Himself had actually revealed to the world, they would, it seems, know no better way to show their possession of this truth than by going out to change the Constitution of the United States. Apparently what passes for religion in the lives and the teachings of these men is a mere blind antipathy to the Catholic Church, expressed for the most part in a confused babbling about Church and State.

The third sentence quoted from the *Christian Herald's* last answer is utter nonsense. Distinctively Protestant beliefs did not write the Constitution of the United States; and they certainly are not reflected in it. The Constitution of the United States is a basic document of civil law. The legal philosophy which underlies it, the philosophy which recognizes the dignity of the individual human being and which teaches that the state exists and acts for the common temporal welfare of its citizens, may properly be

called a Christian philosophy, since it was developed and perfected by men enlightened by Christian faith and since it is in harmony with that faith. The only doctrines which are specifically Protestant in the matter of faith are those teachings set forth by the various heresiarchs in contradiction to the infallible teaching of the Catholic Church.

There is something pathetically, yet offensively, naive about pronouncements by men like the *Christian Herald* writer on the "Protestant origin" of our civil liberties. The fact of the matter is that freedom of religion originally appeared in this country in a Catholic, and not in a Protestant colony. When the Protestants of the time became strong enough numerically, they abrogated that freedom. The liberty of this country was obtained, in great measure, through the arms of Catholic soldiers. The Protestant framers of the Constitution worked on principles which had been elaborated in Catholic schools, and which were, and always have been, a part of Catholic teaching. The civil liberties we enjoy owe nothing to any doctrine which is distinctively Protestant and contradictory to the belief and teaching of the Catholic Church.

Far more important and dangerous than the *Christian Herald* article was the write-up of this article in *Time*. In the first place, the circulation of *Time* would carry this serious error about American Catholicism to far more people than would ever be affected by the *Christian Herald*. In the second place, it must be noted that *Time*, in recent months at least, has given every appearance of trying to be fair in dealing with the Catholic Church. Thus, in its outright denial that Catholicism supports the first article of the Bill of Rights "in principle," *Time* can do far more harm than could ever be effected by a manifestly anti-Catholic publication.

We have already seen the *Christian Herald's* moving declaration of its respect for Catholics and for their faith. Such a statement might well lead a reader to think that the periodical had no particular antipathy towards Catholics, and that the preposterous errors of its commentary had nothing to do with its regular policy. So, too, would the opening passage of the "editor's note," attached to the article "Does the Catholic Church believe in Freedom of Worship?"

> Readers of the *Christian Herald* know that this magazine has never attacked the Roman Catholic Church in general or individual Catholics

in particular. Over the years we have consistently preached and striven to practice tolerance between Protestants and Catholics.[17]

The force of this protest is somewhat lessened by the fact that the article in question appears in an issue which contains, among other items:

(1) a triumphant report on the success of the committee which called upon the President of the United States to insist upon the recall of Mr. Myron Taylor (the editor wants to know why Mr. Taylor is not brought home—"immediately");[18]

(2) a vicious attack on Cardinal Spellman, occasioned by his protest against the anti-Taylor committee. (His Eminence, it seems, should not have used the expression "unhooded Klansmen," since some Tennessee preachers spoke out against the Klan, which is now "definitely in bad with the Protestant Church");[19]

(3) an unjust and ungentlemanly reference to Mrs. Luce, a recent convert to the Catholic Church;[20]

(4) the nomination as "religious leader of the year" of a Protestant clergyman whose chief claim to fame is his prominence as an anti-Catholic agitator.[21]

Attacks on the Catholic Church made against this background do comparatively little harm. No such crudity, however, weakens the force of the *Time* pronouncement.

TIME'S DECLARATION

Time, looking obviously towards a more readable text, quotes excerpts of only four of the *Christian Herald* questions and answers. These are selected from the eight sections in which the answers are taken from Dr. Connell's text. The *Time* copyreaders, very prudently, checked the *Christian Herald* citations with the original pamphlet, and they set down Dr. Connell's words as they appear in his own publication and not as they are written on the somewhat haphazardly edited pages of the *Christian Herald.* Yet, in spite of this accuracy of detail, the *Time* quotations are even more misleading than those of the magazine from which they are borrowed. The *Christian Herald* had given enough of Dr. Connell's

[17] *Ibid.,* p. 19.
[18] *Ibid.,* pp. 9 f.
[19] *Ibid.,* p. 10.
[20] *Ibid.,* p. 4.
[21] *Ibid.,* p. 23.

text to show the careful reader that the passages cited as answers to its questions are really not intended as answers to these questions at all. The *Time* excerpts from *Freedom of Worship* are far too brief to offer such information.

The key question in the *Time* set-up is this: "Does each American have the right to choose his religion?" As an answer to this query, *Time* quotes only these words of Dr. Connell: "the mere fact that a person sincerely believes a certain religion to be true gives him no genuine *right* to accept that religion in opposition to God's command . . ."[22] Apparently it is this response which is thought to justify *Time's* declaration that Catholicism does not support the first article of the American Bill of Rights "in principle."

Once again, on this point, *Time* is guilty, though apparently in good faith, of a regrettable confusion on the subject of rights. The rights which Americans enjoy under our Constitution are rights of civil law. They are protected against any action of the state which would tend to forbid the practice of any particular religion. They have the state's guarantee that it will not "establish" any religion. These rights are strictly in accord with the perennial Catholic principles.

The Catholic Church is unalterably opposed to the coercion of any man to join any religious group. It includes in its own dogmatic teaching the pronouncement that no man may be forced or compelled to join even the true Church of Jesus Christ. Furthermore it is the manifest and perpetual teaching of the Catholic Church that no man may be persecuted because of his religious beliefs. This is precisely the first point brought out in the first article of the American Bill of Rights. Thus, in this matter, the principle of the Constitution is the very principle which is taught and which has been taught by the Catholic Church as its own.

As far as the "establishment" of a religion is concerned, the anti-Catholic underworld which talks continually about "the American principle of separation of Church and State" does not seem to realize what the terms mean. An "established" religion was one like the Anglican communion in England. Such an institution was supported by the taxes of the inhabitants of England, regardless of whether these inhabitants were individually members of the Anglican communion or not. The nominal head of the state was the

[22] *Time, loc. cit.*, p. 56.

nominal head of this established religion. It was this situation which the founding Fathers of the American Constitution wished to forbid for the nation as a whole. They simply refused Congress the power to make an individual religious society the "established" church of the United States. Some of the original thirteen states had "state churches" of their own. In no one of them was the Catholic Church the "established" religion. Thus the decision of the framers of the Constitution not to have a national "established church" was in no sense an attack against Catholicism.

THE CORRECT ANSWERS

In the light of a true understanding of Catholic teachings and of American principles, we should consider the key question asked by both the *Christian Herald* and *Time:* "Does each American have the right to choose his religion?"

(1) Every American has the *civil right* to choose his religion. By force of our Constitution, Congress is prevented from "prohibiting the free exercise" of any religion.

(2) Every American, and, for that matter, every human being, has the *moral right* to *choose* his religion, in the sense that, for a human being who enjoys the use of reason, there can be no rightful attachment to a religious body other than by way of free choice. To frustrate such a choice is, according to Catholic teaching, a moral wrong.

(3) Every American has the *civil right* to choose a religion forbidden by God. On this point, as on many others, civil law makes no attempt to enforce the divine precept. This is, according to Catholic teaching, perfectly right and proper. The state exists in order to procure and to protect the common temporal well-being of its citizens. For the achievement of this end, the state commands those actions which are manifestly necessary to its purpose, allows those things which are indifferent to it, and forbids what is manifestly destructive of or detrimental to its aim. Thus there are many acts contrary to the natural law and to the divine positive law, as, for example, sins of thought or of desire, with which civil law is not concerned.

(4) It is *objectively and morally wrong* for any American, or, for that matter for any human being, to disregard or to disobey a command issued by God Himself, when that command is directed

to all men and when it is brought to the attention of mankind with adequate clarity. This is a general principle which no man who acknowledges the existence of God could bring himself to deny. No man or no group of men would be subjectively guilty of moral wrong were they to fail to act in accordance with the divine injunction because it had never come to their attention through no fault of their own. Such persons are in a state of invincible ignorance, and it is this invincible ignorance which renders activity objectively opposed to a divine command subjectively blameless as far as they are concerned.

We must remember that, objectively, a right is correlative with a law. Men have natural rights (as brute animals have not) precisely because man is empowered by the natural law to make use of terrestial things in pursuance of a supra-terrestrial destiny. Men have rights in the proper sense of the word to what has been assigned to them, to what belongs to them, according to the dictates of divine or human law.

A man has a moral right to act in conformity with the moral law. He has no right, in the strict sense of the term, to violate that law. A divine precept revealed to man constitutes a divine positive law. It would be employing the term in an utterly nugatory sense to speak of man's moral *right* to disregard or disobey such a divine precept.

God actually has given to the world by way of revelation the command that all men should embrace the Christian faith within the unity of the Catholic Church. The evidences of this command and the signs of its authenticity are abundant and adequate. The existence of this command is perfectly manifest in the New Testament. The account of Our Lord's public life and teaching presented in the four Gospels stresses the fact that He insisted that acceptance of His doctrine and attachment to Him were necessary with the necessity of precept. Refusal to believe His preaching constituted a moral fault.[23]

Furthermore, this teaching which could be rejected only by the process of offending God was destined for all men. The apostles were commissioned to present this teaching to the world, and the sign by which men were to profess acceptance of Christ's message

[23] The pertinent texts are listed in *We Stand With Christ* (Milwaukee: The Bruce Publishing Co., 1942), pp. 128 ff.

with the assent of divine faith was that Christian baptism which is itself the rite of initiation into the Church, the society of Christ's disciples.[24] When, on the first Christian Pentecost, St. Peter inaugurated the missionary activity of the Catholic Church, he presented the teaching of Christ and the Church of Christ, not merely as good things, but as things commanded by God. Acceptance of his message was described not only as the gaining of a good promised by God, but also as a retirement from the crooked generation opposed to God.[25] Those who received this message and who obeyed the divine command were baptized and were incorporated into the already existent society of the disciples, enjoying within this society the same status as those who had entered it during Our Lord's public life.

It is not necessary, however, to have recourse to the Scripture in order to see the existence and the authenticity of the divine command to enter the Catholic Church. The Church, here and now, makes publicly the assertion that it is the one society within which God commands all men to live. This very institution, the visible Catholic Church, is clearly manifest to anyone who takes the trouble sincerely and honestly to examine it, as a miracle of the social order, and hence, as the Vatican Council has put it, as "a great and perpetual motive of credibility and an unshakeable evidence of its own status as the the bearer of a message from God."[26]

Hence, since there is a real and objectively manifest divine precept that all men live within the Catholic Church, it is objectively a moral wrong for any American or, for that matter, for anyone else, to adopt a non-Catholic religion. If, through no fault of his own, a person does not realize the existence of this divine command, he cannot and will not be blamed for living other than as a Catholic. If, however, a man is vincibly ignorant of the divine command, or if, *a fortiori,* he knows of its existence and refuses to obey it, his subjective attitude is morally wrong.

(5) The moral obligation to render God the worship He has chosen is corporate as well as individual. It rests on the civil society as such as well as upon the individual citizens who compose this society. The individual obligation is, however, primary. The state can satisfy its obligation in this respect only when what is for

[24] Cf. *Matt.,* 28:18-20.

[25] Cf. *Acts,* 2:37-44.

[26] Cf. *DB,* 1794.

all intents and purposes its entire membership has accepted the true religion.

CARDINAL MANNING'S DECLARATION

Pertinent to the question raised by *Time* and by the *Christian Herald* and indicative of the traditional Catholic teaching about civil religious liberty are these words from Archbishop Manning's masterly reply to the English politician, Gladstone.

> If Catholics were in power to-morrow in England, not a penal law would be proposed, nor the shadow of constraint be put upon the faith of any man. We would that all men fully believed the truth; but a forced faith is a hypocrisy hateful to God and man. If Catholics were in power to-morrow, not only would there be no penal laws of constraint, but no penal laws of privation. . . .
>
> I have drawn this out, because a question absolutely chimerical has been raised to disturb the confidence of the English people in their Catholic fellow-countrymen. And I have given the reason and the principle upon which, if the Catholics were to-morrow the 'Imperial race' in these Kingdoms, they would not use political power to molest the divided and hereditary religious state of our people. We should not shut one of their Churches, or Colleges, or Schools. They would have the same liberties we enjoy as a minority. I hope the Nonconformists of England are prepared to say the same.[27]

In the last analysis, the necessity of the Catholic Church is the necessity of the divine truth itself. In the order of God's law people are free to accept or reject the Catholic Church only in the same way that they are free to accept or reject the truth. The Church seeks, and will seek, its converts, not through any force of civil constraint, to be exercised when and if it becomes the Church of the majority of men and women within the United States, but surely as always according to the manner of divine truth, by manifesting those divine signs which authenticate it as the one Church of the living God.

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[27] *The Vatican Decrees in their Bearing on Civil Allegiance* (New York: The Catholic Publication Society, 1875), pp. 91 f.

Answers to Questions

TAKING THE PATEN AFTER THE *PATER NOSTER*

Question: After the *Pater noster,* the priest is directed to take the paten from under the corporal, wipe it with the purificator, and then hold it upright on the altar while he continues with the prayer, *Libera nos.* All this is rather awkward to carry out in practice and we have seen several different methods of executing it. What is the approved way of performing this action?

Answer: The Missal, in the *Ordo Missae,* says simply that after the *Amen,* said by the priest in response to the *Sed libera nos a malo* of the server, the celebrant is to take the paten in his right hand and hold it erect upon the altar. Going somewhat further into detail, the *Ritus servandus* (X, 1), in the front of the Missal, tells us that the paten is to be cleansed with purificator before it is held upright during the *Libera nos etc.* No details, however, are given as to the exact technique to be employed in carrying out these rubrics. We must have recourse, therefore, to approved liturgical authors for further enlightenment in the actual execution of what our correspondent rightly describes as an awkward action.

Zualdi *(Caer. Miss. Priv. pars. II, tit. X)* has the priest slide the paten from under the corporal, using his right hand, though aided by the left hand, if necessary. (Authors generally have the left hand remain on the corporal during this action.) Then, holding the paten flat on the altar with his left hand, the priest wipes it with the purificator, which he has taken into his right hand. This done, the purificator is placed on the altar, toward the Epistle side, and the priest picks up the paten to hold it upright between the index and middle finger of his right hand, as he proceeds with the recitation of the *Libera nos etc.*

Martinucci, *(Lib. I, Cap. xviii, 108)* usually so detailed in his instructions, limits his directions in this instance to the mere statement that the right hand removes the paten from under the corporal, the left remaining placed on the latter, naturally, at the Gospel side. Other authors, whom we have consulted, are equally unhelpful in solving the awkwardness involved in the use, and the disposition after use, of the purificator.

Supplementing the instructions given by Zualdi, we have found it convenient first to pick up the purificator between the index and middle fingers of the right hand and then, while holding it thus, to press down on the forward edge of the paten with the tip of the ring finger of the same hand, communicating to it a rotary motion, which should revolve the paten free of the corporal. Then, holding the paten flat on the altar with the fingers of the left hand, the right hand uses the purificator to wipe the paten, puts the former aside, and takes the paten, which may be rendered more easy to grasp if the left hand still holding it presses down to tilt it slightly upward.

INCENSE AT *MISSA CANTATA*

Question: Attending High Mass in various towns in the Province of Quebec this summer, I noticed that incense was used at the *Missa cantata* very much as with us at Solemn Mass. Is this practice one that may be freely adopted or does it require a special indult?

Answer: A *Missa cantata,* High Mass without the assistance of deacon and subdeacon, differs from a Low Mass only in the chanting by the priest of those parts which the celebrant sings at Solemn Mass and in the singing by the choir of those portions of the text which are assigned to the choir at Solemn Mass. Certain elaborations of the ceremonial of Low Mass may be admitted without special indult, such as the increased number of minor ministers, for instance, *two* servers and a master of ceremonies. If one of the servers is a tonsured cleric, and *a fortiori* if he is of higher rank, he should sing the Epistle. *(Ritus servandus,* VI, 8.) If two clerics *in sacris* serve at a *Missa cantata,* their functions are much the same as those of the chaplains of a Bishop at Low Mass. (Baldeschi, *Le sacre cerimonie, Parte III, cap. x, art. v)* A decree of the Sacred Congregation of Rites (3328, 1) forbids the use of incense, however, at a simple High Mass, sung without sacred ministers, unless the privilege has been accorded. Our Bishops, in virtue of their quinquennial faculties (Formula IV, 9) may grant this permission for incensing at *Missa cantata* when sung on doubles of the first or second class, on Sundays, and when celebrated *coram Sanctissimo.*

It may be of interest to summarize the ceremonial to be observed when incense is used at *Missa cantata:*

The thurification at the Introit is performed as at Solemn Mass, the minor clerics, or altar boys, attending the celebrant instead of the deacon and subdeacon, the one accompanying him on the right performing the incensation of the celebrant.

At the Gospel, the priest puts in incense before he says the *Munda cor meum.* He incenses the book before the Gospel and after it receives the incensation himself, standing at the Gospel corner.

The incensation at the Offertory is performed as at Solemn Mass and those *in choro* and the members of the congregation are incensed after the celebrant.

At the Elevation, the thurifer *more solito* incenses the Blessed Sacrament.

SITTING DOWN DURING THE *GLORIA* AND *CREDO*

Question: In the little chapel of a convent, where I am chaplain, we occasionally have a *Missa cantata.* There is really no room in the tiny sanctuary to provide a place for the celebrant to sit down. Is it permissible, in these circumstances, for the priest to remain standing in the middle of the altar during the singing of the *Gloria* and *Credo?*

Answer: While it is customary to do so, there is never any *obligation* for the celebrant to sit down during the singing of the *Gloria* and *Credo* at a sung Mass, whether *Missa cantata* or Solemn. The rubric of the Missal *(Rub. Gen.* XVII, 6) directs that the celebrant *may* sit down, together with the deacon and subdeacon at Solemn Mass, while the choir sings the *Kyrie, Gloria,* and *Credo.* The expression used is: *sedere potest.* He may sit also, let us remark, when there is a Sequence or when the singing of the Gradual or Tract is prolonged. It should be noted, however, that at *Missa cantata,* the attendant acolytes are not to sit with the celebrant on the bench in the places reserved for the deacon and subdeacon at Solemn Mass. They may either remain standing at the ends of the bench, facing each other, or they may sit on stools placed one on each side of the bench. The rubric of the Missal, cited above, directs that the seat of the celebrant be situated on the Epistle side of the sanctuary. A decree of the Sacred Congregation

of Rites (2621, 6) legislates that this seat is to be a bench, not an arm-chair. We have seen, *et flens dico,* three over-stuffed library easy chairs filling the rôle of the ministers' bench in some unliturgical sanctuaries.

WILLIAM J. LALLOU

EXCOMMUNICATION AND IRREGULARITY

Question: I have been presented with the difficulty encountered by a young doctor, now discharged from the army after several years of service, who wishes to study for the priesthood. In the course of his internship he participated in a "therapeutic operation" of craniotomy, performed as a matter of routine in a large hospital, where it was regarded as a perfectly lawful means of saving the mother's life. Now the young man wishes to know if this fact will be an obstacle to his promotion to the priesthood. What answer should be given him?

Answer: It seems to be solidly probable that craniotomy does not come under the censure of excommunication *latae sententiae,* reserved to the Ordinary, which is imposed by the Code on those who procure an abortion (Can. 2350, § 1). Two reasons are adduced in favor of this opinion—first, abortion, in the strict sense, involves the death of a *non-viable* fetus, whereas craniotomy is seldom, if ever, performed save on a *viable* fetus (Cf. Huser, O.F.M., *The Crime of Abortion in Canon Law* [Catholic University, 1942], pp. 129 ff.); second, abortion is essentially the ejection of a *living* fetus, whereas in the performance of a craniotomy the fetus is killed before ejection (Cf. Iorio, *Theologia Moralis* [Naples, 1939], II, n. 512). It is true, from the standpoint of moral guilt, craniotomy is just as wicked as abortion (worse, in fact, inasmuch as it deprives the child of the chance of Baptism afforded in the case of abortion); nevertheless, penalties are to be interpreted strictly. Hence, the doctor in the case under consideration can be regarded as not having incurred excommunication by his participation in the "therapeutic operation" of craniotomy.

However, since the question is concerned with an aspirant to the priesthood, another contingency must be considered—the incurring of an irregularity. For, among the irregularities *ex delicto* established by Canon 985 is one which arises either from abortion

or from voluntary homicide. The last clause would seem to be applicable to the present case. In other words, the young doctor would seem to have incurred an irregularity because his participation in craniotomy was voluntary homicide, even though it was not abortion. The only saving factor is the possibility that he was not guilty in conscience of the sin of murder in the instance described, inasmuch as through ignorance he believed the operation morally justified. Such ignorance is doubtless present in some doctors who perform "therapeutic operations," but it is difficult to see how a Catholic, even if he has had only a fundamental ethical training, can be excused on this score. Moreover, it is important to note that the irregularity in question is one from which an Ordinary cannot dispense, even though it is occult (Can. 990, §1). Furthermore, in the event that the crime took place more than once, the petition for a dispensation (to the Holy See) must express the number of delicts, and that under penalty of the nullity of the dispensation (Can. 991, § 2).

PRISON TERM AS A SUBSTITUTE FOR RESTITUTION

Question: In our state, when a man is convicted of stealing a large sum of money, he receives a comparatively brief jail sentence (perhaps six months) if he makes full restitution to the person or persons whom he has robbed. But if he makes no restitution, he receives a much heavier sentence (perhaps five or six years). In the case of one who received the longer jail term, because he had nothing left with which to make restitution, can it be held that in view of the much greater severity of his punishment, the moral obligation of restitution is extinguished or diminished, and if so, to what extent?

Answer: The fact that a thief has been punished by a prison sentence does not absolve him from the obligation of making restitution to the full extent of his injustice. His incarceration has been a payment to society for his debt of moral guilt; the debt he owes to those whose material goods he has purloined remains undiminished. In the case described by the questioner there is a regrettable inequality in the fact that the man who received the longer sentence is penalized just as heavily, as far as restitution is concerned, as the man whose sentence was considerably shorter just

because he was able to make restitution immediately—perhaps by borrowing from his friends. Nevertheless, the discrimination is justifiable, inasmuch as it doubtless induces to restore their ill-gotten goods many who would never make restitution if they were given the same prison sentence whether or not they gave back what they had stolen.

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NEWMAN ON SAINT AUGUSTINE

The desolation which . . . swept over the face of Africa, was completed by the subsequent invasion of the Saracens. Its five hundred churches are no more. The voyager gazes on the sullen rocks which line its coast, and discovers no token of Christianity to cheer the gloom. Hippo has ceased to be an episcopal city; but its great Teacher, though dead, yet speaks; his voice is gone out into all lands, and his words unto the end of the world. He needs no dwelling-place, whose home is the Catholic Church; he fears no barbarian or heretical desolation, whose creed is destined to last unto the end.

—"The Church of the Fathers," in *Historical Sketches* (London: Longmans, Green, and Co., 1896), II, 141 f.

THE BISHOP IN HIS DIOCESE

He is the one authentic teacher of Faith and Morals within the diocese. To him, and to him only, are Our Lord's words applicable: "Going, therefore, preach the Gospel." To him, and to him only, may be applied the instructions and exhortations addressed by St. Paul to Titus and to Timothy. He, and he alone, is the successor of the Apostles. He, and he alone, has received the Apostolic Commission. There may be others in his diocese, abler, of greater intellectual gifts, more profound, more widely read theologians. There may be some among his clergy, both secular and regular, more eloquent, better fitted to expound the truths of Revelation. But he, not they, is the Divinely appointed public teacher of his people. They can only teach publicly at all in so far as he permits, or calls, them to assist him in his labours; and they can only teach what the Bishops in union with their head on earth approve and sanction.

—Peter Finlay, S.J., in *The Church of Christ* (London and New York: Longmans, Green and Co., 1916), pp. 248 f.

Analecta

The third number of the *Acta Apostolicae Sedis* for 1946[1] is devoted entirely to the Constitution of Dec. 8, 1945, *Vacantis Apostolicae Sedis,* governing the election of the Supreme Pontiff. Structurally the Constitution is based on the Constitution of Pius X, *Vacante Sede Apostolica,* of Dec. 25, 1904, the first of the *Documenta* inserted at the end of *The Code of Canon Law.*

In both Constitutions one finds the same two titles: "De Sede Apostolica Vacante" and "De Electione Romani Pontificis." One finds also that the first title in each is divided into the same five chapters and the second, into the same seven chapters, as follows:

Title I: Chapter I, "De potestate S. Collegii Cardinalium, Sede Apostolica vacante"; Chapter II, "De Cardinalium Congregationibus"; Chapter III, "De nonnullis peculiaribus officiis, Sede Apostolica vacante"; Chapter IV, "De Sacris Romanis Congregationibus *et Tribunalibus* eorumque facultatibus Sede Apostolica vacante" (italicized words are new); Chapter V, "De exsequiis Romani Pontificis."

Title II: Chapter I, "De electoribus Romani Pontificis"; Chapter II, "De Conclavistis ac de aliis in Conclavi partem habentibus"; Chapter III, "De ingressu in Conclave"; Chapter IV, "De clausura Conclavis, ac de secreto servando in iis omnibus quae in Conclavi aguntur" (in the new Constitution a comma is omitted in the title of this chapter, *i.e.,* after the word "omnibus"); Chapter V, "De forma electionis"; Chapter VI, "De iis, quae servanda vel vitanda sunt in electione Romani Pontificis"; Chapter VII, "De acceptatione et proclamatione electionis nec non de consecratione et coronatione novi Pontificis."

There are 108 numbered paragraphs in the new Constitution as against ninety-one in the old, that is, seventeen new numbered paragraphs. In reality there are nineteen, but two of the numbered paragraphs of the old Consitution have been deleted: 32 and 65, the former excluding from voting a Cardinal who was not "saltem in Diaconatus ordine" and the latter providing for the sealing of the ballots with wax and an extraordinary seal of the respective Cardinals.

[1] *Acta Apostolicae Sedis,* XXXVIII (1946), 65-99.

Cross references to the Code are found in the footnotes, references obviously new in view of the fact that the Code was promulgated later than the former Constitution. Such references are those to canon 219 in §101 in regard to the moment at which the elected Pontiff obtains jurisdiction; to canon 229 in §33 in regard to the suspension of a General Council on the death of a Pope; to canon 233, §1, in §35 in regard to the moment at which a Cardinal is given the right of electing the Supreme Pontiff; to canon 239, §2, in §107 in regard to the ordination or the consecration of an elected Pontiff who needs either one; and to canon 239, §3, in regard to the announcement of the name of the elected Pontiff to the people.

Cross references are found also to documents of Pius XI. The Motu proprio *Cum proxime* (March 1, 1922)[2] is cited in §12, (d) in regard to the determination by the Cardinals of those days which shall be held to be the first six of the nine days for the funeral exequies of the deceased Pope; in §37 in regard to the extension of the time during which the arrival of Cardinals is to be awaited from ten (as in the previous Constitution) to fifteen days, with the faculty granted the Sacred College to extend even that period for two or three days, the whole period not to exceed eighteen days in any event; in §43 permitting a Cardinal to bring only one servant into the Conclave, and that one a layman; and in §65 in regard to the privilege of the Cardinals of celebrating Mass instead of merely receiving Holy Communion.

A formula for the oath of the Custodian of the Conclave is appended as a footnote to §52. Modifications have been made in the formulae of the oaths of the Cardinals and the Conclavists: the latter are now required to swear, as are the Cardinals, that they will in no way co-operate with the exercise of the *Veto;* moreover they are required also to aver that they will not use apparatus for transmitting the oral deliberations of the Conclave or for photographing the proceedings. The introduction of this sort of apparatus is forbidden in a new paragraph, §64. Another new section, §87, commands that the Cardinals surrender for burning with the ballots all memoranda they have made with regard to the outcome of the respective ballotings. The holding of the Conclave outside Rome, if circumstances require it, is provided for in a new paragraph also, §8.

[2] *AAS,* XIV (1922), 145; Bouscaren, *The Canon Law Digest,* I, 141.

Other new paragraphs provide as follows: §23, the civil government of Vatican City pertains to the Sacred College during the vacancy of the Holy See, but laws can be enacted only in an urgent case and need ratification by the new Pontiff to be effective after his election; §30, authentic documents of the burial of the deceased Pope are to be drawn up (the method is indicated in detail); §31, the Sacred College is to provide for the bringing of the body of the deceased Pope to the Vatican Basilica of St. Peter, should the Pope die outside Rome; §42 reproduces rules for the garb of the Cardinals during the vacancy of the Holy See, citing in a footnote the norms of Jan. 6, 1943, of the Sacred Congregation of Ceremonies; §91 provides that the formalities laid down for the election of the Supreme Pontiff are effective even in the case in which the vacancy of the Holy See is owing to the resignation of the Pope; §102 provides for an authentic document attesting the acceptance of the election and the name assumed by the elected Pontiff; §103 adds to §89 of the previous Constitution provisions for the twofold "adoratio" of the Cardinals and the Blessing *Urbi et Orbi;* §104 refers to the Roman Ceremonial for the norms to be followed in the case in which the elected Pontiff resides outside the Conclave; §105 provides for the opening of the Conclave, the drawing up of an authentic document referring to this fact, and the admission of those who customarily are allowed to offer their homage to the newly elected Pontiff; and §106 provides for the third "adoratio" at a time fixed by the newly elected Pontiff.

The provisions for the election of the Pontiff *per scrutinium* are contained in §§68-89, corresponding to §§57-77 of the previous Constitution. In §68 the present Constitution inserts the new requirement that for the election of the Supreme Pontiff one vote more than two-thirds of those of the Cardinals voting is required. This fundamental change is the occasion for other modifications. In §70 the pre-balloting acts are enumerated as four instead of five (as in §59 of the previous Constitution); §71 omits reference to the printed form of the ballots (the latter mentioned in §60 of the previous Constitution); §72 supplants §61 of the previous Constitution as to the form of the ballot, requiring that it be wider than long and that on the forward side of it there be printed, or handwritten by one and the same person, the words: "Eligo in Summum Pontificem Reverendissimum Dominum

meum D. Cardinalem ....."; §74 requires the departure from the chapel of all except the Cardinals before the Cardinals commence writing the names of the candidates on their ballots; §75 then indicates that the form just noted be filled out with the name of a Cardinal written with a style somewhat different from the voting Cardinal's ordinary style; §76 provides for the folding of the ballot in the middle, in such a way that folded it should have approximately the width of a thumb. §75 thus provides for a much simpler method of filling in the forward portion of the ballot. Under §63 of the previous Constitution, besides the name of the candidate voted for, the voting Cardinal was required to fill in his own name above that of his candidate and under the latter a number with a verse of Scripture or some other motto. This procedure was important under the previous Constitution which in §75 (corresponding to §86 of the present Constitution) required that if the elected Pontiff obtained exactly two-thirds of the votes, his own ballot should be opened to ascertain whether he had voted for himself, in which case his election would be invalid. His ballot could be identified by his seal on the outside of the ballot and by his name and motto written inside. This provision is not incorporated in the present Constitution. The additional vote in excess of two-thirds makes ample provision for the contingency that a Cardinal would cast an invalid vote in voting for himself. In spite of that action, he would have the two-thirds of the votes of the voting Cardinals required for the validity of his election.

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BRINGING THE CHURCH TO NON-CATHOLICS

We look at them rather than at God, at their side of the question rather than His; or it would be more true to say that we in reality do our best to betray their interests, because we do not look first at His. . . . The spurious charity of modern times has stolen more converts from the Church than any other cause. While it has deadened the zeal of the missionary, it has fortified the misbeliever in his darkness and untruth, and stunted or retarded in the convert that lively appreciation of the value of the gift of faith, upon which it would appear that his spiritual advancement exclusively depends.

—Father Frederick William Faber, in *The Creator and the Creature* (Baltimore, 1857), p. 109.

Book Reviews

DE SACRAMENTIS IN GENERE. By Rev. Emmanuel Doronzo, O.M.I., S.T.D., Ph.D. Milwaukee: Bruce Publishing Company, 1945. Pp. xviii + 595. $3.75.

Although there are numerous theological treatises on the sacraments, there is still opportunity for valuable contributions to this field of scientific thought, through deeper speculation, new methods of treatment, and further practical applications of the doctrines relative to the divinely established channels of grace. Such a contribution in this recent work of Fr. Doronzo, a professor at the De Mazenod Scholasticate in San Antonio, Texas.

The author intends his work to be a suitable combination of speculative and positive theology, with the greater emphasis placed on the former. He follows the usual order of treatises on the sacraments in general—the essence of a sacrament, the necessity of the sacraments, their effects, the subject, the Author and the minister of the sacraments, and their number. A chapter on the sacramentals terminates the work.

In treating questions that are controverted among Catholic theologians, the author evidently desires to give a fair presentation of all views before he argues for the one he himself favors. He is consistent in expressing his preference for the opinions upheld by the Thomists. In the section on the precise mode of causality to be ascribed to the sacraments he devotes more than twenty pages to the defence of the theory of physical causality and to the refutation of opposing views. This, he contends, is the view proposed by St. Thomas in the *Summa*, though in his *Commentary on the Sentences* he favored the theory of intentional causality.

Fr. Doronzo admits the reviviscence of all the sacraments except the Holy Eucharist and Penance. The vital question concerning the sacrament of Penance—whether this sacrament can be conferred validly but unfruitfully—he promises to discuss in a later treatise. His endeavor to explain the reviviscence of Matrimony in accord with the theory of physical causality does not appear to be very successful. He asserts that the *res et sacramentum* of this sacrament is the conjugal bond, the foundation of which is something physical; hence the bond can effect physically the revival of grace. The objection which naturally occurs is: How can the conjugal bond, something of the moral order, be the physical cause of grace, even though its foundation is something physical? Fr. Doronzo rejects the view proposed a few years ago by Fr. Marin-Sola, O.P., according to which Matrimony—

and, in fact, every sacrament which confers no character—produces a modification of the baptismal character, whereby the grace can be subsequently revived by way of physical causality.

Fr. Doronzo believes that sacramental grace includes, in addition to the claim to subsequent actual graces conformable to the end of the particular sacrament, a special physical mode, or intrinsic vigor, not as a habit distinct from common sanctifying grace, but as a modification of it. Thus, sacramental grace does not differ from common sanctifying grace as a species from a genus, but as something modified from something not modified.

The author upholds the common Thomistic view that the sacramental character belongs to the species of quality designated as *power*. In developing this portion of his work, it is to be regretted that he did not have available the doctoral thesis recently published by Fr. Theodore Hesburgh, C.S.C., entitled *The Relation of the Sacramental Characters of Baptism and Confirmation to the Lay Apostolate* (Catholic University, Washington, D. C., 1946).

Fr. Doronzo's practical solution to the difficult question of the conferring of Baptism on one whose intention regarding the reception of this sacrament is entirely unknown, such as the man dying unconscious whose religious attitude cannot be discovered, is that Baptism may lawfully be conferred, though there is no obligation of administering the sacrament. However, he holds as theologically certain that the mere absence of a contrary intention does not suffice for the valid reception of a sacrament in an adult.

In his treatment of the question whether Our Lord determined specifically or only generically the matter of certain sacraments, Fr. Doronzo chooses the former view as the more probable. It seems to the reviewer that he draws from the Tridentine phrase *salva eorum substantia* more than is warranted. Moreover, his treatment of the historical difficulties concerning the sacraments of Confirmation and Holy Orders is quite brief; but doubtless his purpose is to consider these matters more fully in subsequent publications.

In discussing the question of the necessity of moral dispositions in the minister of the sacraments, Fr. Doronzo presents a detailed exposition of the three controversies waged on this subject—those which centered about the re-baptisms of the third century, the Donatist heresy and the re-ordinations of the early Middle Ages. He also explains the notions upheld on this matter by some of the dissident Orientals at the present day.

In the chapter on the number of the sacraments Fr. Doronzo accepts the view that the first writer to propose explicitly the doctrine that there are seven sacraments was the unknown author of *Sententiae*

divinitatis, which was written between 1141 and 1148. The argument from the acceptance of this doctrine by the heretical and schismatical churches of the East is particularly clear and convincing.

Discussing the way in which venial sins are forgiven by the sacramentals, Fr. Doronzo adheres to the common present-day view that this effect is produced only mediately—namely, that the proper use of a sacramental will produce actual graces for the performance of supernatural acts, and by virtue of these acts, if they contain a detestation of certain venial sins, the remission of these sins is obtained. In like manner, he holds that the remission of temporal punishment is effected by the sacramentals only indirectly, through the satisfactory value of the good acts which they inspire.

Five excellent indices are joined to this work, designated respectively as *Index Biblicus, Exegeticus, Thomisticus, Onomasticus* and *Analyticus.* This last covers thirteen pages, and is a model of what such an index should be.

Fr. Dorenzo's work would doubtless be regarded by many as too extensive to be used as a text-book in a seminary. But it will surely be a valuable addition to every theological library, and is especially to be commended to priests who wish to supplement their seminary course in the sacraments by solid, scientific study. With Cardinal Villeneuve, who writes the foreword, we can praise the acumen of the author and his inviolate fidelity to the Angelic Doctor.

FRANCIS J. CONNELL, C.SS.R.

KEYSTONES AND THEORIES OF PHILOSOPHY. By William D. Bruckmann, S.T.L. New York: Benziger Brothers, Inc., 1946. Pp. viii + 230. $2.50.

This work contains an introductory chapter entitled "Approach to Philosophy," 108 pages of "definitions of philosophy," seventy pages on "some theories of philosophy," a "glossary of certain technical terms," and nineteen pages headed "biographical landmarks in philosophy." It also contains an elaborate diagrammatic survey of philosophy. The philosophical definitions and the glossary are the most valuable parts of the work. The author would have done well to have devoted his entire book to these parts, adding to them and strengthening them where necessary.

The philosophical definitions are given from the scholastic point of view and cover a wide range of matter, from *abstractio—abstraction* to *voluntas—will.* Although the definitions seem to be taken from accepted scholastic sources, there is not a great deal in the way of

documentation. A certain number of references are made to the writings of St. Thomas—there are seventeen, for instance, in the first twenty-five pages—and a very few to other authors. When writing of war the author does not list a right use of means as a necessary condition for a just war. Boethius's definition of eternity is not quoted accurately on p. 18.

All the technical terms contained in the glossary are in Latin. They include *in fieri, in facto esse, in quale quid, natura naturans, principium quod, principium quo, ratio,* and many others, with definitions that will prove helpful to the student. The section on theories of philosophy contains brief discussions of various ancient and modern schools of philosophy and of certain philosophical doctrines and attitudes. Included are such diverse subjects as neo-Platonism, optimism, psychoanalysis, hylopmorphism, pragmatism, agnosticism, scepticism, generationism, and socialism. Brevity is the note of these discussions, but the subjects are for the most part too broad and too involved to lend themselves to brief treatment. The same may be said with more emphasis of the concluding section entitled "Biographical Landmarks in Philosophy." All the principal philosophers are listed but most of them receive only a few lines. Some of them are given only a few words, or even only a single word, together with the year of their death.

A number of misspellings have been noted, *viz.,* Pyrro, Iamlichus, Compte, Tichner, Boetius, Stockle, Höffling, transcendal. It is stated on p. 174 that "Neo-Voluntarism or Pragmatism has its beginning in Kant's categoric imperative. The principle 'I ought, therefore I can,' became the father of innumerable non-rationalistic philosophers." Serious defects are in the absence of proper documentation and the lack of a bibliography. The present reviewer suggests that in case of future printings an adequate bibliography and a more complete documentation be added. Students can make use of a work offering succinct and accurate definitions of technical terms and restricted subjects. They do not need, and in fact are better without, over-simplifications and thumb-nail sketches of the great men and the wide movements in the history of thought.

JOHN K. RYAN

A PRIEST MUST PREACH. By Rev. Thomas Regis Murphy. Milwaukee: The Bruce Publishing Co., 1945. Pp. xiv + 287. $3.00.

Librarians will undoubtedly catalogue this work of Fr. Murphy as another book of sermons. But that simple classification will hardly be adequate for a sermon book that is at once singular, intriguing, and

thoughtful, and which, if read in the proper spirit, would do the average priest-preacher more good than a library of run-of-the-mill sermon books.

The book is singular because even as a sermon book it is written to expound and defend a thesis, and actually combines the material of several books under one cover. The book is intriguing because, after reading the Preface, one is led to wonder whether and how the author will accomplish his purpose, as well as how he will fare at his own hands in the Criticisms that follow each sermon. The book is thoughtful from cover to cover; and whether or not one always agrees with Fr. Murphy's thinking, one is bound to be grateful for, and to respect, his thought.

As already stated, this book of sermons is written to propose and to defend a thesis. The thesis, stated simply, is this: A sermon without a personality is no sermon at all; it is an elocutionary effort. The personality of the priest does not receive the attention it deserves; and unless he has a preaching personality, training in speech will be of little avail (Preface, ix, x). The author then goes on to present a series of sermons, one for each Sunday of the Ecclesiastical year, planned in such wise as to encourage the priest-reader to develop his preaching personality.

With the main lines of Fr. Murphy's thesis we do not propose to take issue. But the word "personality" is always a hazardous term, and the author makes no set effort to define his terms. He would have done well to borrow a leaf from Fr. Sharp *(Next Sunday's Sermon,* pp. 14-15) who distinguishes in the preacher the spiritual personality and the oratorical personality. Both must be cultivated in the priest, although basically the former is the more important of the two. Fr. Murphy implicitly agrees that both phases of the preacher's personality must be developed if he is to preach well. Indeed, the very purpose of the book is to foster such development.

Each sermon is preceded by a brief, chatty letter to a mythical young priest called "Jim." These letters are for the most part of an ascetical turn, focusing in eminently practical fashion on some aspect of the priest's spiritual life and conduct, and designed to enrich his personality in such wise as to flow over and give added strength to his preachments. After each letter follows a sermon for the particular Sunday of the year, purportedly composed and expressed according to the principles advocated by the author. Following each sermon is a criticism by the author of his own homiletic effort, wherein he scrutinizes in rather detailed manner both the composition and the way the sermon was actually delivered at several Masses. These criticisms have the obvious

purpose of making the preacher-reader more conscious of both the way he writes and the way he delivers his sermons, and of inculcating the habit of self-appraisal. To the technical remarks are adjoined many reflections on people, things, and events, all designed to promote the general purpose of the book.

To the author's credit let it be said that the idea of incorporating in the book his self-criticisms is a good one, quite original, and well calculated to develop in the thoughtful reader a habit of self-appraisal, if that be lacking to him. Fr. Murphy is honest and merciless in estimating his performances, and not slow to castigate himself. The many side-remarks are usually discerning and helpful.

On the debit side there are these items to be noted. First, Fr. Murphy shows undue concern for the mechanics of speech in a manner reminiscent of the Old Elocutionary School. While it is true that the voice must be carefully and strenuously trained to become a ready instrument of the mind in expressing its thoughts vocally, still, once the voice has been properly trained and the habit of co-ordinating it with thought expression acquired, the less attention the preacher gives to the mechanics of speech, the better off will he be. After that, all that he needs to have something worthwhile to say, and to mean what he says—and the voice will take care of itself. Again, the author seems to be unduly concerned over the time-element in the sermon. While it is all too true that under present conditions the average sermon in the average city parish on Sunday mornings must be brief, it does not seem to be good technique for the average preacher to try to reach the suitable length on the first draft, which practice the author seems to follow if he does not advocate it. Better to express oneself first to one's heart's content; than to sift, eliminate, trim, cut, alter to fit the occasion. This, incidentally, is not to subscribe to the heresy that a short sermon is only a long sermon "boiled down." While on the question of time-limits, Fr. Murphy implies at least once that the average audience cannot be held for longer than ten minutes. On this we beg leave to differ. Further, the author shows too much concern for the shades of meaning in words. This, again, is all well and good for the writer, but should be no special concern for the speaker who must perforce paint with a large brush and in a wide sweep. Such concern may well lead to a complexity that is quite opposed to apostolic simplicity and directness in speech.

The good qualities of the work, however, far outweigh its few shortcomings. Fr. Murphy has done a service for English-speaking priests, and most especially for the younger members of the clergy and students in theological seminaries. The book reveals the author as a man of courage as well as of talent and a thoughtful habit of mind. It is to

be hoped that the homiletic world has not heard the last of Fr. Thomas Regis Murphy of St. Canice Parish, Pittsburgh.

ROBERT E. REGAN, O.S.A.

ROAD FROM OLIVET. By Edward F. Murphy. Milwaukee: The Bruce Publishing Company, 1946. Pp. ix + 294. $2.50.

The review of a "Catholic novel" frequently turns out to be an unhappy task for the Catholic reviewer. It would be pleasant to be able to inform a reading public deluged with advertisements for the *Forever Amber's* and the *Duchess Hotspur's* of the hour that here was a novel interesting, well-written, and unmarred by the leering obscenity that is the chief "selling point" of many "best sellers." But while the reviewer seldom, if ever, has to make reservations on moral grounds regarding a novel published by a Catholic firm, he is sometimes appalled by the book's literary worthlessness.

Road from Olivet tells the story of Mary Magdalene from the morning of the Resurrection to the end of her stay in Rome, a stopping-point in her legendary journey to evangelize France. The tale is "purely imaginative except for a few Scriptural and historical connotations" (p. ix).

This book is not being advertised and sold as spiritual reading, but as a novel, and is presumably to be judged as such. Frankly, I succeeded in reading it through only because I had been requested to review it and felt in conscience bound to persevere. I found it poorly constructed, filled with lush figures of speech often trite and sometimes ridiculous, and hampered by dialogue that is incredibly stilted and almost never serves to elucidate character or advance the action. I'm sorry; but that's the way it seemed to me.

E. D. BENARD

SCRIPTURAL REFERENCE FOR THE BALTIMORE CATECHISM, THE BIBLICAL BASIS FOR CATHOLIC BELIEFS. By G. H. Guyot, C.M., S.T.L., S.Scr.B. New York: Joseph F. Wagner, Inc., 1946. Pp. iv + 155. $2.50.

While the title of this book suggests that it is merely an aid for the teacher of Catechism, it has a wider usefulness. The preacher will find it helpful in suggesting scriptural texts for various points of dogma and moral, especially in view of the fact that an excellent topical index at the end of the book will make it easy quickly to locate the pertinent texts.

The author follows the order of the Baltimore Catechism. The answers to its questions are summarized, numbered and printed in heavy face type; then the pertinent scriptural references are given. Where

the point at issue is contained only indirectly in the scriptural text, a brief argument is set down in favor of the implied doctrine. The result is a very useful and helpful divine armory of scriptural references, and we recommend it as a practically indispensable tool for every teacher of catechism, and every preacher.

While the vast majority of the references send the searcher to pertinent and apt scriptural passages, here and there will be noted a reference to passages which are inconclusive. Thus on p. 7, for a proof that God is all-wise, all-holy, all-merciful and all-just the searcher is referred to *Rom.* 11:33: "Oh, the depth of the riches of the wisdom and knowledge of God." The word "depth" may suggest an inexhaustible store of wisdom and knowledge, it can hardly be invoked in favor of infinite wisdom. In favor of marriage being a sacrament instituted by our Lord we are referred to the marriage feast of Cana and to His discussion of its indissolubility with the Pharisees. But no argument can be drawn from these passages in favor of the sacramental character of marriage.

Again we note a rather surprising lack of completeness here and there in the listing of texts. For example in reference to St. Peter's infallibility, there is no mention of *Luke* 22:31-32, and in reference to his primacy there is in Acts reference only to Peter's presiding at the election of Judas' successor and the Council of Jerusalem with no mention of the many other instances of His leadership and primacy contained in the Acts.

This reviewer notes an occasional statement that is too categorical. For example we read: "There is no passage in Scripture that refers to the character imprinted by these Sacraments (Baptism, Confirmation and Holy Orders)." A reference might well have been made to *II Cor.* 1:21-22, and *Eph.* 1:13-14 and 4:30. It is not improbable that the "seal" mentioned in these texts refers to the sacramental character.

We doubt the advisability of listing a series of texts indiscriminately under one heading without any indication of the relative probative force of each. Some texts may offer solid scriptural proof in favor of the doctrine in question, but others may contain at most an *a pari* argument or an argument from analogy.

A statement which we think is positively misleading: "The effects of love and baptism are one and the same," is found on p. 92.

Such examples are exceptional, and can easily be corrected in a subsequent edition. We are convinced that this book will prove very popular with catechists and preachers, and so the demand for the book will soon exhaust the first printing. We hope then soon to see a second revised edition of this very helpful and timely book.

JOSEPH L. LILLY, C.M.